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EDITORIALS

Home Again

The guns are silent on the Syrian-Israeli border and the prisoners of war are being exchanged; it is a respite that must raise the spirits of humane men and women the world over. Cease-fires are normally a step to peace, and this one may prove to be so; but despite the White House jubilation that greeted Mr. Kissinger's return from his extraordinary labors in the Middle East, that is by no means a foregone conclusion. Mr. Kissinger, it must be remembered, is the man who brought peace to Vietnam—a remark that can be made today only with the obvious intent of irony. Now, by exerting his evident powers of persuasion, but also by committing the United States to undertakings, some of which we citizens are not permitted to know, he has achieved a truce and persuaded the combatants to meet in Geneva. Or some of the combatants—as of this writing it is not known whether or not the Palestinians will be represented, or under what auspices, or with what demands, and the Palestinians are the lethal bone of contention.

Mr. Kissinger is well pleased with his accomplishment, and Mr. Nixon is well pleased with his Secretary of State. From the President's point of view, the cease-fire is providential—as was the "breakthrough" in the Vietnamese negotiations of 1972. Then, as now, Nixon desperately needed a victory; he could not gain one at home, so his faithful Kissinger brought him one from abroad. The Byzantine complexities of Kissinger's strategy in Vietnam are only now coming to light—Tad Szulc untangles them in the current issue of *Foreign Policy*, and they do nothing to improve Mr. Kissinger's reputation for candor. He said one thing in Hanoi, another in Saigon, and yet something else in Moscow, and he came home with an "agreement" that would last at least through the Presidential elections of 1972.

Now he is home with another agreement. Will it last through the impeachment proceedings? Obviously, Mr. Nixon hopes so and will do what he can to sustain it. He is off to the Middle East with a haste that suggests flight. First he will visit Egypt, where President Sadat, quite gratuitously, has said that impeachment would be a "tragedy," without specifying on whom the tragedy would fall. He *may* go on to Syria, though as of now the Syrians are uncertain on that point. And of course he is headed for another meeting with Brezhnev, though that reunion must give him sober advance thoughts, since the Russians have recently made much of Edward Kennedy and are sending the Congress unmistakable "messages" to the effect that they do not consider Nixon indispensable to the harmonious development of U.S.-USSR relations. But whatever the details of his interviews, the trip will afford a President, almost completely discredited at home, with opportunities to pose in smiling intimacy with sundry heads of state who could not care less about Watergate, Plumbers, or the shambles into which the American economy has fallen.

With due respect for President Sadat, the tragedy for the United States is not impeachment; it is that the American people know they cannot trust their President or the men who do his bidding. Mr. Kissinger is such a man, as the Vietnamese found out, and prudent Arabs and Israelis, when they proceed with their excruciatingly difficult approach to peace, will bear in mind that Mr. Kissinger is a friend, first to himself, and then to his President, and after that not necessarily to anyone. It is protocol to be photographed embracing him, but we hope they have not taken him to their hearts.

Nixon and God

If one were mischievously to keep score of the President's encounters with the Deity, as of now it might read: Nixon 5, God 0.

Item: His Quaker credentials have been kept intact—though perhaps only technically—since the meeting to which he nominally belongs decided, out of fondness for his mother, not to read "Hannah's boy" out of the congregation.

Item: Mr. Nixon from the outset of his incumbency broke with the Presidential tradition of Sunday attendance at St. John's Church, across Lafayette Square from the White House. Characteristically he decided that God should come to him and not the other way round; Sunday worship has regularly been held under Nixon's roof, not God's.

Item: The President early succeeded in putting his brand on the hide of Billy Graham, the most talented and successful religious flack, at least since Aimee Semple McPherson. Of course, Dr. Graham's comment on reading the expurgated tapes, that this wasn't the Richard Nixon he had known all these years, sounds a bit ominous, and the great evangelist may yet slip the Presidential bridle.

Item: The Rev. John J. McLaughlin, S.J., whose vows of poverty and obedience have proven elastic enough to embrace living quarters in the Watergate apartments and a White House office, has manfully spoken up for "the greatest President of this century." "I don't intend to speak for the Church, but for the President." The country may, alas, be deprived of this sort of comic relief if Father McLaughlin decides to obey his provincial superior and return to Boston for prayer and reflection.

Item: In order to surround the Lord on all sides, Mr. Nixon has acquired his own rabbi as well. Rabbi Baruch Korff has come from Providence to Washington to head The National Citizens' Committee for Fairness to the Presidency, and to declare a "citizens' Congress" to be held on Sunday, June 9. The advance list of distinguished guests includes the President's immediate family, Vice President Ford, Cabinet members, Congressional leaders, GOP National Chairman George Bush and Chief Justice Burger. As we go to press, however, this project seems to be in trouble: except for Julie and David Eisenhower and Agriculture Secretary Butz, all the distinguished guests regret that they must be somewhere else at the time; even Mrs. Nixon's travel schedule may not "permit" her attendance.

But so far, despite such ominous rumblings, matters have gone pretty much the President's way in his game plan with God. However, the ways of the Lord are inscrutable, and He seems to have made considerable in-

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roads into the heart and mind of one Charles Colson. It was no mean achievement: the man whom former communications director Herb Klein called a "cobra," who would "walk over my grandmother" to help re-elect Nixon, and who was styled by his own father as "viciously loyal," has apparently found religion, feels contrition, and is ready to sing.

There should be many chants of atonement in his repertory. As head of the 1972 Nixon "attack group," Colson among other things drew up the "enemies list," masterminded the Ellsberg break-in, gave the Plumbers their orders, was closely involved in the milk fund case and the ITT merger and, as the President's former "hatchet man," doubtless possesses a store of information concerning other dirty tricks and felonious capers.

The curtain will shortly go up on his recital and he is guaranteed an attentive audience from among the special prosecutor's staff and the Rodino committee. If it be God's will to even a score or two with Richard Nixon, He now has a potent weapon in His hand.

A Checkrein on the FBI

Frank J. Donner's "Hoover's Legacy," in the June 1st *Nation*, is an object lesson in bureaucratic usurpation of power. By adroit public relations and a passion for ideological conformity, J. Edgar Hoover subordinated the FBI's crime-fighting mission to one of political policing and thought control. Under six administrations he dominated his ostensible superiors and played a major role in institutionalizing political intimidation and persecution.

Now that Hoover is gone, the first signs of Congressional oversight of the FBI are beginning to appear. Sen. Sam J. Ervin (D., N.C.) chairman of the Senate Judiciary Subcommittee on Constitutional Rights, inserted in the *Congressional Record* (May 14) an article by Richard E. Cohen—"Justice Report/Hearings Focus on Privacy, Limitations on Use of FBI Data"—which appeared originally in the February 16, 1974 issue of *National Journal Reports*. The article calls attention to three bills: S. 2963, sponsored by Senator Ervin; S. 2964, a Justice Department bill introduced by Sen. Roman L. Hruska (R., Neb.) and H.R. 9783, introduced by Rep. Don Edwards (D., Calif.) who is chairman of the House Judiciary Subcommittee on Civil Rights and Constitutional Rights.

At this point the differences among these measures are less material than the fact of legislative intervention. That the ghost of J. Edgar Hoover still walks is indicated by a statement by Rep. Charles E. Wiggins of California, the ranking Republican on the Edwards subcommittee: "The personality and political clout of J. Edgar Hoover kept the bureau from previous regulation. He's gone now, and we revere his memory, but review of the FBI's operations is desirable. We won't interfere with their proper functioning, but regulation of their use of criminal records is a proper legislative purpose."

And long overdue. The problem has been allowed to grow into one of alarming magnitude. The FBI's criminal files hold 70 million cards with the fingerprints of 20 million persons, and cards on approximately 3,300 per-

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sons are added each *day*. An individual may be arrested and his fingerprints and record will remain on file regardless of the disposition of the case. Senator Ervin says: "There are probably several million so-called criminal records on persons who were never prosecuted or convicted on the charge for which they were arrested."

About 7,000 "contributing agencies" exchange data with the FBI. All but 800 of these are local law-enforcement units, but federally chartered banks are included, as well as federal and state agencies authorized by statute to exchange records; unauthorized disclosures also occur. A separate FBI civil file houses 88 million fingerprint cards on 38 million persons, such as military personnel, federal employees, aliens and "Boy Scouts who have received a merit badge in fingerprinting." The FBI starts them off young.

The noncriminal file would not be affected by the proposed legislation but, according to Senator Ervin, government record keeping involves 910 computer data banks containing more than a billion different records. Among them, an ABC *News Closeup* discloses, are seven White House data banks, one of which contains the names of 15,204 persons whom President Nixon addresses by their first names. (*Congressional Record*, April 29.)

In a June 1971 decision, Judge Gerhard A. Gesell declared that the data collection process was "out of effective control." Three years later, the little privacy that remains for the common man is being swept away in a torrent of computerized data. Legislative intervention has become imperative, and a salutary side effect of the bills at present before the House and Senate is that the FBI will no longer be a law unto itself.

The Congress Is Shabby Too

With the President occasionally chanting "a generation of peace," and Secretary Kissinger embracing Arabs and Jews in the Middle East, you might think that the government had been seized by pacifists in a nonviolent assault. Not quite. The Administration is at present trying to push the largest defense budget in U.S. history ($99.1 billion with supplementals) through the Congress of the United States. And it is working. The era of negotiation has ushered in not *shalom*, but *shlemiels*.

On Tuesday, May 21, the House of Representatives passed the Defense Authorization Bill 358 to 37, trimming in the process only about a half billion from the Administration's requested $23.1 billion. That is the kind of gross negligence that has caused the American people to rate Congress even lower than their "shabby" President. Those who had hoped after Watergate for a resurgent and responsible Congress had best be prepared for disillusionment. And those who hope to move the United States away from militarist and interventionist policies abroad—with their consequent sacrifices and repression at home—will need to prepare for a long battle. Vice President Ford is already sharpening up his pro-military speeches in New Orleans while waiting in the wings for his role as Commander in Chief. Americans will have to learn better the intricacies of military budgets, of missiles and strategy, in order to derail the defense gravy train.

The knowledge of military matters and the level of debate on defense budgets in Congress are shocking. They bespeak a degree of ignorance approaching ignominy. Rep. Bella Abzug (D., N.Y.) introduced an amendment to eliminate $75 million to be spent on achieving nuclear counterforce capability—the ability through increased accuracy and yield of warheads to destroy enemy missiles in their silos—and was met with ridicule. The House then added insanity to insult, voting 370 to 34 to allow this nuclear capability that Defense Secretary James Schlesinger says will give the President an option between all-out nuclear war and doing nothing.

The same dreary scenario was played out on other important amendments. Defeated were attempts by Rep. Les Aspin (D., Wis.) to put a ceiling at last year's level of authorization, by Thomas O'Neill (D., Mass.) to reduce troops overseas by 100,000, and by Otis Pike (D., N.Y.) to eliminate $499 million for research and development of that military and fiscal fiasco, the B-1 bomber.

There were scattered sane responses, chief among them the reduction to $1.126 billion of the Administration's $1.6 billion request for military assistance for the Thieu government. But even this victory is clouded by the knowledge that the "aid" remaining in the bill will do plenty to disrupt and destroy the lives of Vietnamese for months, if not years, to come.

The net result is sickening. Where are the choruses that were so outraged by the swear words and shady deals faithfully recorded in the Oval Office? Why no sudden saints to remind us of the high purpose, sacred moral trust and idealism of public office?

The House, if it chose, was not without detailed and prudent alternatives. The Project on Budget Priorities suggested $14.9 billion in cuts. Twenty-one high Defense and Security officials said such cuts could be made "without risk to our national security." The Center for Defense Information proposed options up to $9.748 billion, "neither of which would adversely affect U.S. military posture." And the public has indicated in various polls that it wants even bigger cuts—more butter, fewer guns.

The Senate will soon consider the same bill. Amendments can be expected to cut or reduce counterforce weapons, B-1, Trident, overseas troops, and aid to South Vietnam. The tragic fiasco that was enacted in the House must not be repeated. Ultimately, the weapons authorized this year will threaten peace and cost the public hundreds of billions of dollars. It is a problem worth at least a few minutes of serious attention focused away from transcripts and tapes, and onto budgets and bombs. Anything less will be immoral.

ROBERT K. MUSIL

Catching Up

This is "catch-up" time in collective bargaining, and the new leadership of the Amalgamated Clothing Workers Union underscored that fact when it called a strike, its first in fifty-three years, against the major men's clothing manufacturers. More than 110,000 clothing workers suddenly found themselves on the streets, backing a union which lacks a strike fund—who needed one when relations between the union and the industry were amicable?

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In recent weeks, and under the pressure of inflation, these are some of the wage increases that have gone into effect: UAW members picked up 13¢ an hour under their "escalator" cost-of-living clauses—and that on top of 20¢ an hour which they have received since last year's contracts were signed; major textile manufacturers granted an average 10 per cent wage increase, effective June 1, partly to keep out the union and partly to keep their employees reasonably satisfied; the ILGWU—the women's counterpart of the men's clothing union—has demanded and expects to receive a 5 per cent increase for about 385,000 members, in addition to the 6 per cent due this year under existing contract provisions; the Longshoremen on both coasts have just received a 15¢-an-hour back-pay adjustment—money earlier denied them by the Pay Board.

In that context, to expect Murray H. Finley, the new president of the Amalgamated and his colleague, Jacob Sheinkman, the secretary-treasurer, to accept a 6 per cent increase, without a cost-of-living clause, simply wasn't in the cards. The Manufacturers Association negotiators must have known this. The final offer was one calculated to make the strike inevitable.

This is a good strike, beneficial to all. The ranks get a chance to participate in decision making; they are on strike, and can decide if they like the new contract. The Amalgamated becomes again their instrument of struggle and defense. Finley and Sheinkman have an opportunity to prove that they are not "just a couple of smart lawyers," as the cynics say, but two union leaders able to break new ground and earn the respect of management as men who can do more than "operate." Their baptism of fire was the long and bitter Farah strike. With the aid of the AFL-CIO and independent unions like the UAW, the Amalgamated won a major victory in stopping anti-unionism in the state of Texas. Not since the eleven-year Kohler strike by the UAW has labor seen anything like the Farah strike, which had the added element of involving on a large scale the Mexican-American workers. Now a victory by the Amalgamated, after a strike over wages—and victory is most probable—will revitalize this union, and give its leaders a chance to become not heirs of the Potofsky-Rosenblum regime but their own men.

The Amalgamated's nationwide strike will have a healthy spillover in the current negotiations between the Communications Workers and the American Telephone and Telegraph Co. AT&T is already reeling from the fact that once again it has had to make a major settlement, this time for $30 million back pay, due to discriminatory wage practices, besides a $45 million back-pay award to blacks and women for violations of the equal-pay provisions of the 1964 Civil Rights Act. An ailing Joe Beirne is trying literally from a sickbed to direct negotiations for his 400,000 members. AT&T has agreed to nationwide negotiations, in an attempt to prevent local "wildcat" strikes of the kind that ensued during the last round of negotiations. The Amalgamated's nationwide strike is a reminder of what can happen if an adequate settlement, including an escalator "cost-of-living clause," is not included.

In all these situations another new factor is emerging which can no longer be dismissed as "women's lib" talk, or black rhetoric. The social composition of all these unions is changing, women are very important, and no longer willing to accept meekly white male leadership. And this goes double for the blacks, who increasingly become a larger part of the work force in major American industries.

"Catching up" is not just a matter of seeking to stay even with inflation. It also means responding more accurately to the needs and aspirations of a changing work force. By breaking with a historic no-strike pattern, the Amalgamated leaders show that they grasp this situation. If the strike is short—as seems likely—that will suggest that manufacturers too are learning to live in the contemporary world.

B.J. WIDICK

DANGEROUS CARGOES

THE AIRLINES PLAY WITH FIRE

THOMAS De BAGGIO

Last November 3, Bruce Buck, an Eastern Airlines pilot, brought his plane to a halt on the runway and waited for clearance to take off. The delay had been ordered by control, which had lost contact with a crippled airliner, Pan American's flight 160, from New York. It was a 707 jet freighter bound for Europe with 16,000 pounds of hazardous cargo. All traffic on the runways had been halted, opening Logan Airport for the emergency landing on any runway. The three-man Pan Am crew had reported smoke from the cargo hold just before they stopped transmitting. As their plane neared the airport runway you could see the smoke billowing out of an open cockpit window of the huge jet like a black shroud hanging from the plane.

It's too high to land, thought Buck. He must be going to attempt a go-around and try again. But the nose of the aircraft wobbled higher and higher. "The aircraft rolled to his right," Buck recalled later, "then sharply left. . . . The nose came up and the aircraft appeared to stall. The nose dropped sharply. The left wing and nose section struck the ground at the same time. The aircraft was nearly vertical at impact."

When it crashed, it exploded in black smoke and flames. The airport was closed. The three men inside the Pan Am cargo jet were dead.

At 7 P.M. on April 15, 119 Atlanta-bound passengers filed aboard Delta Airlines flight 311, a Boeing

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727, at National Airport in Washington, D.C. The plane arrived in Atlanta at 8:53 P.M. without incident but, although they didn't know it until several days later, all the passengers were "hot." They had been exposed to excessive doses of radiation leaking from a package carried aboard the plane. The Atomic Energy Commission estimated that some of the passengers on that flight received as much as fourteen times the amount of radiation the government says is the maximum that anyone should receive in a whole year. The AEC says its estimate, disclosed in testimony before the House Commerce Committee's Special Investigations Subcommittee on April 25, is based on "reasonably conservative assumptions."

Moreover, the package that was on flight 311 did not stop in Atlanta. It was unloaded and kept in a loading area for about nine hours. It was then lugged aboard Delta's flight 585, headed for Baton Rouge, La. There were forty passengers aboard that plane and, like Delta's earlier passengers, they were unaware of the radioactive material flying with them. They, too, were hot; the AEC said that some of them received twenty-six times the maximum annual dose of radiation during their short time in the air.

More than a year before the Boston crash and nearly two years before the radiation leakage on the two Delta flights, Ralph Nader's Aviation Consumer Action Project (ACAP) petitioned the Civil Aeronautics Board, which regulates the commercial aspects of aviation, and the Federal Aviation Administration, America's chief air safety watchdog. Nader asked to have air shipments of dangerous cargo banned "until adequate and reliable regulations and enforcement procedures can be developed." He also requested that airlines be required to give "adequate notice to passengers and crew concerning the presence of hazardous materials" in the period before the ban took effect. The petition was based on data compiled by the Airline Pilots Association, the bargaining agent for pilots and cabin attendants.

"Under the most ideal conditions," the ACAP petition said, "no foreseeable amount of regulation will change the fundamental fact that the presence of hazardous materials presents a risk to the passenger that would not otherwise exist."

Both the CAB and the FAA were alarmed by Nader's petition. Like most regulatory agencies, these two serve also as public relations offices for the industry they supervise, and they feared that Nader was threatening their job of fostering aviation. The CAB foresaw that passengers, told that hazardous materials were to accompany them, would refuse to fly. The FAA thought such notification would be "misleading" and "might foster unwarranted apprehension." Nader's petition caused turbulence, but it didn't fly.

The range of hazardous materials permitted to accompany airline passengers runs from explosives and radioactive materials to lethal chemical poisons and germs. Exactly how often such materials are carried on airlines is a subject of some dispute. The Airline Pilots Association claims that some 90 per cent of commercial aircraft fly dangerous cargo; the FAA estimates that only about 3 per cent of the nation's airplanes carry such cargo. The FAA figure is based on what officials say is "extremely preliminary" data from an incomplete study of shipping manifests. Yet the Atomic Energy Commission made a study of commercial airliners carrying radioactive material and concluded that one airplane in ten carried atomic material. Although the AEC figure was more than three times what FAA data suggested for *all* dangerous cargo, it included only about 1 per cent (800,000 shipments) of the more than 4.5 million tons of hazardous materials carried by air.

The discrepancy makes it dolefully obvious that federal officials have been basing their regulatory decisions on guesses and have no realistic idea of the scope of the problem. As you might expect, this lack of hard data points to some deeper problems. The National Transportation Safety Board, in a study of a 1972 radiation leak aboard another Delta flight, put its finger on one of them—the complexities of hazardous cargo regulations. "At least one authoritative source," it said, "estimated that no more than about twenty people in the entire nation were truly knowledgeable" about hazardous cargo rules.

Rep. Jack Brooks (D., Tex.) has spent more time than any other Congressman investigating hazardous cargo shipments in the United States. He is chairman of the House Government Activities Subcommittee. Seven months before the Boston crash and a year before the Delta radiation leak, he questioned James F. Rudolph, director of the FAA's flight standards service. Rudolph is a key man in the nation's air safety program. "To the best of our knowledge," he told Representative Brooks on March 15, 1973, "there has not been a single aircraft accident . . . or passenger injury caused by the transportation of such materials in the twenty-six years since the carriage by air of hazardous materials . . . was first authorized." Later in the same hearing, he added: "Hazardous materials when properly marked, packaged and labeled do not present the problem that a lot of people feel they do."

Rudolph had uttered a simple statement of the FAA's safety credo: as long as there are regulations and no crashes, there is no problem. It is a credo that must be based on a fundamentalist faith in the power of prayer.

The FAA has never known whether or not cargo safety rules were being observed. Its version of air safety is one in which passengers are inspected more thoroughly than dangerous cargo. The General Accounting Office reported last year that the agency "does not have a program for the systematic, routine surveillance over air shipments of hazardous materials." It added: "Primary reliance is placed on air carriers' accepting only those hazardous materials shipments that meet requirements." Rep. Stanford Parris (R., Va.), a member of Brooks's subcommittee, characterized the FAA method as "kind of an honor system." How else could he have described it? At the time the FAA didn't have even one full-time inspector of hazardous cargo.

What the FAA didn't know was left for others to uncover. In 1971 the Atomic Energy Commission checked a

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sample of 300 radioactive packages shipped by air. Such material is the most tightly regulated of all hazardous material, yet 60 per cent of the shipments violated the law. A spot check by pilots indicated that nine out of ten shipments of hazardous materials are illegal. Figures released last year by the Office of Hazardous Materials, a branch of the Department of Transportation, suggested that the pilots were not far off. More than 80 per cent of the air shipments it inspected were in violation of regulations.

Charles S. Loucks, operations division chief of the hazardous materials office, told the National Transportation Safety Board during its investigation of the Pan Am crash in Boston that manufacturers of containers used to ship dangerous cargo have "a lack of understanding or even a lack of knowledge" that there exist shipping regulations which their containers must meet.

Of course, the violations that turn up during an inspection are only those that can be seen from the outside. Government inspectors and airline officials have no authority to seize or open shipments suspected of violating the law. "We have great concern about shippers who ship hazardous materials which are restricted and, if they were properly identified, they never would be accepted by the airlines," Frank F. Rox, a Delta Airlines vice president told the House Commerce Committee's Investigations Subcommittee in April. It is a point that has worried the aviation industry for some time. A simple solution, suggested by the airline pilots and others, is to license shippers and packers of hazardous materials. But nothing has been done about it.

"Our experience has been that the most prominent violators of the federal regulations are, one, the largest corporations in the United States, and, two, the U.S. Government," says airline Capt. James A. Eckols, co-chairman of the hazardous materials committee of the pilots' association.

Both Nader's Aviation Consumer Action Project and the Airline Pilots Association continue to push for an end to moving dangerous cargo by air, but they have tempered the terms of their proposed embargo enough to admit that it might be wise to exempt radiological pharmaceuticals. However, says Nader's aviation expert Reuben Robertson, if such an exception is made, the FAA should not have regulatory authority. The agency "has proved itself to be utterly incompetent in this area and utterly insensitive to the safety interests of passengers," he told Congressional investigators in April. Robertson says the Bureau of Radiological Health, a division of the Food and Drug Administration, should be given such authority.

The FAA opposes bans on hazardous shipments, but says it is willing to sit down with its critics and the aviation industry to re-examine current regulations. Not much is expected from such a meeting. When Delta Airlines attempted to stiffen its own cargo handling rules, it met with strong resistance from the CAB, the FAA and the AEC, according to Vice President Rox. Although it has been a safety goad and sometime critic of the FAA, the National Transportation Safety Board (NTSB) announced in March that it believed an embargo of hot cargo in air transportation is a "drastic step" that is unnecessary.

Banning dangerous cargo might cut into an airline's revenues, but it could hardly have much effect on the national economy. According to estimates made by the Office of Hazardous Materials, only about 0.02 per cent of the dangerous cargo transported in the United States last year went by air. (A total of 2.3 billion tons of it traveled by all modes of transportation, the agency says.) Furthermore, hazardous cargo has been prohibited from passenger-carrying ground vehicles since 1960. As the pilots like to point out, the logic of exempting the airlines from such an embargo is a little shaky. "It is simply impossible to pull an aircraft to the side of the road and get out and run," noted one pilot. "We are all locked into an aluminum tube and must stay there with whatever our cargo in case of an incident."

Despite the government's unwillingness to inform passengers of dangerous cargo aboard flights, apprehension has set in among some informed members of the flying public. Pilots, for instance, are talking quietly about refusing to fly planes carrying hot cargo. According to Robertson, a number of nuclear scientists won't take a plane ride these days without a battery-operated geiger counter in their pockets to warn them of radiation leaks.

Robertson also feels that the airlines are leaving themselves open to suits if passengers are injured on a flight containing hazardous cargo about which they were not told. He cites a federal court decision in New York which found that passengers should be warned of weather dangers before the flight, "so they can choose for themselves" if they want to fly.

Less than a month after the Pan Am cargo jet crashed in Boston, safety board investigators had discovered the probable cause of the fire that developed after the plane took off. They found nitric acid in bottles that had been packed by the shipper in sawdust-filled crates. Packing nitric acid in sawdust is an apparent violation of shipping regulations. It took sixteen minutes in one test to start what NTSB investigators described as a "fiercely" burning fire from spilled nitric acid. So the safety board issued a warning in a preliminary report on the crash. It cautioned against what could happen from an insecure bottle cap—especially if the bottle were placed on its side.

More than a month later, hot cargo expert Loucks of the hazardous materials office testified before the board. "Caps have been a consistent problem," he explained. "But as yet, to my knowledge, we do not have a requirement for taping or securing caps." He added, in a business-as-usual manner: "I don't know of any specific action that is contemplated in the immediate future." It was a sentence that revealed more about air safety bureaucracy than Loucks perhaps intended.

Against such a background, even the perfunctory actions taken by the government in the last year to limit the safety hazards of flying dangerous cargo may seem monumental after twenty-six years of confusion, complexities and lethargy. Government air safety experts cling to the notion that a little education will solve whatever problem may exist. So the FAA hired itself eighteen full-time cargo inspectors with money it got from Congress last year and set up a training school for its 450 others inspectors to teach them how to conduct hot cargo inspections. (An

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inspector who attended the course told the NTSB that the seven-day training program "was not enough to even scratch the surface.")

The airlines, too, were required to do something in the way of education. The FAA told them to train their cargo handlers in hazardous materials. The agency must approve the courses, but it made no attempt to require standardization. One airline submitted a plan for an eight-hour course. Another thought fifteen mintues would be enough to master the tangle of complexities. Although the courses were to have been established by December 6, most were not approved until months later.

No comprehensive legislation has yet been introduced in Congress to simplify and toughen regulations. Only a puny bill to give the hazardous materials office authority over shipping container manufacturers was offered. It is pending so quietly in the Senate that even House members dealing with the controversy have been unaware of it. Shippers of dangerous cargo, except for those handling radioactive materials, still go about their business without the trouble of obtaining a license. All the measures carry the assumption that deadly germs, radioactive materials, lethal poisons and powerful explosives will continue to fly the friendly American skies in airliners. □

DIPLOMATS IN FIELD DRESS

NIXON'S ACTION AMBASSADORS

BARRY RUBIN

Despite Henry Kissinger's headline-grabbing trips abroad, daily administration of U.S. foreign policy still lies largely in the hands of hundreds of ambassadors and foreign service personnel around the world. Now it is being discovered that a surprising portion of these positions are held by counterinsurgency experts, intelligence-gathering agents and even, in certain key countries, by professional coup makers. Columnist Jack Anderson has estimated that more than 1,500 CIA personnel are currently carried on State Department rolls and, according to the North American Congress on Latin America (NACLA), the real foreign service officers sometimes find themselves in a minority. A former CIA operative estimates that normally such agents may be 20 per cent of the Embassy staff.

For some time now, the public has looked askance at ambassadorships because it has often seemed that they were being given out in exchange for generous contributions to victorious Presidential candidates. This form of barter still prevails. In fact, the Nixon Administration has apparently set records for the diplomatic spoils system, or perhaps stricter campaign laws have brought the practice more into the open. Walter Annenberg, currently Ambassador to Great Britain, gave $250,000 to Nixon's campaigns, and seventeen others, seeking ambassadorships or transfers to more prestigious capitals, each gave $10,000 or more.

But a more shocking aspect of Nixon's ambassadorial appointments has been the selection of many men who have had close ties to counterinsurgency operations or to companies with major investments in the countries where they are to serve. This practice seems to be followed especially in the more economically significant or strategically important Third World countries.

Nixon's 1973 appointment of former CIA director Richard Helms as Ambassador to Iran is a case in point. The emergence of Iran as an oil power and the traditional importance of CIA support for the Shah can certainly be linked to Helms's appointment. The agency was deeply involved in the 1953 coup which overthrew the nationalist Mossadegh government and put the Shah back into power. After that, U.S. missions helped train the Iranian military and secret police. In this latter respect it is significant that Frank Walton, a former Los Angeles policeman and head of the Agency for International Development's Office of Public Safety in Saigon several years ago, is also reportedly on the U.S. Embassy staff in Iran. The Office of Public Safety has concentrated on police training and supply operations, including training in extreme grilling techniques and bomb construction.

Similarly, John Crimmins, appointed last year as U.S. Ambassador to Brazil, had a long career as an intelligence officer and played an important role in the 1965 U.S. invasion of the Dominican Republic. In neighboring Uruguay, the respected magazine *Marcha* documented the involvement of the recently arrived U.S. Ambassador, Ernest Siracusa, in the June 1973 rightist coup there. Siracusa had previously been Ambassador to Bolivia, whose Fascist government emerged from a 1971 coup supported by the United States and Brazil.

Nathaniel P. Davis, U.S. Ambassador to Chile before and during the overthrow of President Allende, was also said to have been involved in coup planning. A senior member of the National Security Council in 1966-68, Davis volunteered in the latter year to take over as ambassador to Guatemala after the previous U.S. envoy was killed by leftist guerrillas. During his three years there, the Guatemalan Government conducted a major counterinsurgency campaign against the guerrillas. The techniques used included political assassination, the regrouping of peasants into strategic hamlets, "civic action" programs and intensified counter-guerrilla training for the military. Many of these procedures had been employed by the United States in Vietnam and, it is worth noting, during this period a number of the officers in Davis' Embassy were veterans of that "pacification" program.

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Davis then went to Chile where, as the ITT memos and other material show, the U.S. Embassy gave active support to anti-Allende forces. NACLA has estimated that at least ten members of the U.S. Embassy staff played an important part in funneling material and political support to the rightist forces. All of these men had career records which, at the least, consistently placed them at the scene of important coups or repressive campaigns supported by the U.S. Government.

Davis' assistant in Guatemala was Max V. Krebs, who later served as acting ambassador in Argentina, and there provoked a major scandal by writing letters to Peronist government ministers warning them that new, nationalistic banking and investment laws were too strict and would damage Argentina's ability to attract foreign investment. In January 1974, Krebs was appointed by Nixon to the sensitive ambassadorial post in Guyana.

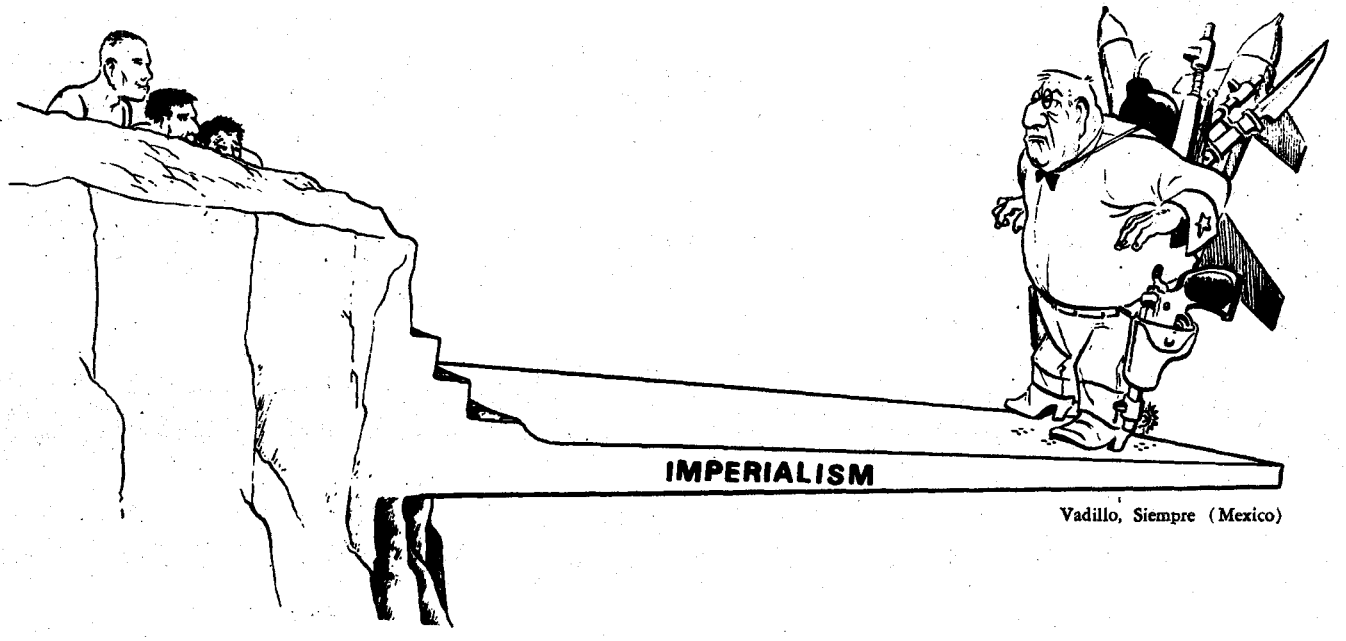
One of Nixon's most controversial appointees is G. McMurtrie Godley whose arrival as Ambassador to Lebanon caused major demonstrations and protests there. Godley had worked in the Office of Strategic Services, the CIA's predecessor, during World War II. In 1961, he went to the newly independent Congo, serving in a variety of positions and becoming Ambassador in February 1964. It was then that the Godley legend began. He played a crucial role in crushing pro-Lumumba uprisings during a period when U.S. planes were ferrying mercenaries to trouble spots in the country. "Mac [Godley] was a good field general," said former diplomat Edmund Guillion. "After Hammarskjöld's death . . . the United States had to help muster the U.N. troop contingents to keep order. The Congo was coming apart. Mac has a real sense of moving troops."

Godley is best known, however, for his activities as Ambassador to Laos from 1969 to 1973. Even Associated Press dispatches said that he had "headed a U.S. operation that involved CIA commanders and a clandestine army fighting against Pathet Lao units." The *Far Eastern Economic Review* called him "the most powerful man in Laos," the one who made decisions leading to U.S. bombing of the Plain of Jars and the creation of 20,000 Laotian refugees. "Godley," wrote T.D. Allman, "also backed the disastrous U.S.-supported South Vietnamese invasion of Laos, authorized CIA use of Laotian bases for operations in Cambodia, and once summed up his approach to the Laotian problem by telling a group of visitors that 'the only good Communist is one 6 feet under the earth.' " On one occasion, according to Allman, Godley grabbed a nonwhite fellow ambassador from a neutral country, shook him by the lapels and shouted: "You clear everything you say to the press with me!"

Godley, then, was much more than an ambassador. *The New York Times* called him a "diplomat in fatigues." "He's a real field marshal," said an admiring friend. "He runs the war in northern Laos just like his predecessor Bill Sullivan used to do, while [Gen. Creighton] Abrams and [U.S. Ambassador Ellsworth] Bunker pretty much run the war in south Laos out of Saigon." Nixon, also a Godley fan, was once quoted as saying, "I wish I had a hundred ambassadors like Godley." When Godley left Laos, the President tried to make him Assistant Secretary of State for East Asian and Pacific Affairs, but Congress, outraged by his handling of the secret war in Laos, blocked the appointment. There was talk then of sending him to Argentina, but he went finally to Lebanon.

While Congress blocked Godley's nomination as an Assistant Secretary of State, it approved two other nominations—of William Sullivan, Godley's predecessor in Laos, to be Ambassador to the Philippines, and of Graham Martin to be Ambassador to South Vietnam. Both men seem to come from the same mold as Godley.

Sullivan was in charge of the Vietnam Working Group from 1963 to 1964 when, according to the Pentagon Papers, this group laid down plans for U.S. bombing of North Vietnam and for the introduction of massive U.S. group forces into the South. From 1964 to 1969, Sullivan was Ambassador to Laos. Of this period, *New York Times* columnist Anthony Lewis wrote, "For five years, until 1969, the bombing was kept a secret from the American



Vadillo, Siempre (Mexico)

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people. Ambassador Sullivan was directly in charge of all the CIA and mercenary personnel involved, and approved the targets. He concealed the bombing from visiting members of Congress and its committees. When he finally admitted it in 1969, he still falsely denied that civilian targets had been attacked. In fact, the villages and towns had been obliterated, as he well knew."

Sullivan could soon be called on to play a similar role in the Philippines. The Marcos government has used its imposition of martial law to become a dictatorship and is waging war against Moslem dissidents and leftist guerrillas. U.S. Green Berets have already been involved in civil action operations and the United States has given Marcos extensive aid. In Manila, as in Chile and elsewhere, not only is the ambassador a man with extensive counterinsurgency experience but also a number of Embassy personnel are competent to carry out such operations. The *Philippines Information Bulletin* reports that the head of the Embassy's political section and Sullivan's deputy were in Malaya during the British anti-guerrilla operations there; one Embassy official is a former officer for the Public Safety Division of AID, one is a former West Point instructor and four are diplomatic veterans of Vietnam (three from the pacification program). Another Embassy officer served under Sullivan in Laos.

Perhaps the best-known of Nixon's new "action Ambassadors" is Graham Martin in Saigon. Before going to South Vietnam, Martin was an envoy to Italy where he recommended that the United States covertly subsidize the ruling Christian Democratic Party. So far, Martin has launched fierce attacks on the U.S. press, encouraged the State Department to avoid answering questions posed by a U.S. Senator, and launched violent attacks on anti-war activists. In response to Martin's charge that press and Congressional criticism of the Saigon government is being orchestrated from Hanoi, Rep. Ron Dellums commented: "That an American career envoy in the year 1974 should be sniping in a cheap political way at the motives of Vietnam policy critics is a sad commentary on how little the old cold-war-oriented hands have learned from our Indochina experience." Martin's now famous March 21st cable to the State Department recommended that Sen. Edward Kennedy not be given an "honest and detailed answer" to his questions on U.S. aid to Saigon, since that would permit "another calculated campaign of distortion" against the Administration's policy in Vietnam.

Martin's most recent exploit was an attempt to blame theologian George Webber, president of the New York Theological Seminary, for an attack on a village in which a number of children were killed. In a remarkable demagogic performance, Martin claimed that if Webber had, on a recent visit to Saigon, called the Saigon offices of the Provisional Revolutionary Government, he could have prevented the attack. Webber replied that, although he disputed Martin's premise, he had agreed to make the call but first asked the ambassador's assistance in getting Saigon government permission for the initiative. Martin did nothing.

It is not surprising that the Southeast Asia region has received so many ambassadors of the Martin-Sullivan-Godley type. Another newcomer is William Kintner, Nixon's appointee as Ambassador to Thailand. Kintner, a former army officer, worked with the CIA during the Korean War. A self-proclaimed expert on what he calls "termite warfare," Kintner became a rightist college professor and during the McCarthy era published *The Front Is Everywhere: Militant Communism in Action*. In 1971 he advocated arming Japan with nuclear weapons and he opposed entry of the People's Republic of China into the U.N. He warned: "To insist on 'freedom' will not help where . . . the precipitate rush into democracy will lead to general disorder, the ideal precondition for a Communist takeover."

This political orientation is not popular among the Thai people. As Allman explains, "Most Thais want to move on, following October's successful revolution against military dictatorship, into a new democratic era. . . . But Dr. Kintner, like many U.S. officials here, is a hard-line anti-Communist who has privately expressed doubts about Thailand's capacity for constitutionalism, and who has said he prefers the 'South Korean model'—that is, a strongly anti-Communist and repressive police state—for Asian regimes."

"I can see a situation," said one member of Thailand's constitution-drafting committee, "where the United States wants to bomb Vietnam from Thailand again, a constitutionally elected Thai government refuses, and Kintner conspires with the military in a *coup d'état* so that this country can be used as an American launching pad again." Symbolically, one of Kintner's first acts as Ambassador in Bangkok was to build a 7-foot-high chain-link fence around the Embassy.

After allowing the post to stand vacant for some time to indicate his distaste for Swedish opinion, Nixon has appointed Robert Strauz-Hupé as ambassador there. Strauz-Hupé, formerly ambassador to Ceylon, has collaborated on two books about international affairs with William Kintner. He is a cold warrior of long standing and sending him to Stockholm after a period of diplomatic estrangement looks like a calculated insult and may well be so intended.

Today, Argentina is one of the most important countries in the Third World. In its foreign policy, the Peronist government is attempting to lead a nationalist bloc of states on the continent against the Brazilian-led string of military dictatorships. At home, a tremendous struggle is taking place between the Left Peronists and the rightist party and union bureaucrats. One would expect to find a Nixon-appointed Ambassador there to match the country's importance. His name is Robert Hill.

When he was nominated, the British magazine, *Latin America*, commented that "Hill's biography reads like a satirical left-wing caricature of a 'Yanqui imperialist.'" Like Godley, Hill was in the OSS during World War II. He was Ambassador to Costa Rica in 1953 and Ambassador to El Salvador the following year.

"As Ambassador to Costa Rica," wrote conservative reporter Ralph de Toledano, "he was one of those who gave significant backing to the late Ambassador Jack Puerifoy, who carried the burden in Guatemala of restoring democratic government to the embattled little republic"—a reference to the bloody 1954 coup. Toledano also

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commended Hill for his close work with U.S. intelligence agencies. He might also have discussed Hill's corporate ties.

Before entering the diplomatic service, Hill had been vice president of W.R. Grace & Co., a U.S. multinational company with large operations in Latin America. Later, in 1960, Hill became a member of the board of directors of the United Fruit Co. These two companies, united now in the person of Hill, are unquestionably the most hated U.S. corporations in all of Latin America. United Fruit was the biggest winner in the 1954 Guatemala coup, regaining properties that had been nationalized.

After service in the State Department and as Ambassador to Mexico, Hill returned to private life in 1961 and became a director of Investors Diversified Services, an investment fund with close ties to Richard Nixon. He was also, from 1964 to 1969, on the board of the American Institute for Free Labor Development, a group set up to train Latin American labor leaders to hold "proper" attitudes toward capitalism in general and U.S. companies in particular. The institute, whose CIA ties are well known, is now trying to support right-wing Peronist labor leaders in Argentina.

Nixon first appointed Hill Ambassador to Spain where, according to one oppositionist, he behaved "as if he were a minister without portfolio in the Spanish Government." In 1973, Hill became Assistant Secretary of Defense for International Security Affairs but was forced to resign when he refused a Congressional demand that he divest himself of stock in firms having defense contracts.

If rumors of American intrusion into the affairs of other nations are flourishing around the world, it is perhaps because there are ample material grounds for them. Colonial administrators, whether business executives or political proconsuls, are seldom attractive people—they are judged on efficiency not charm. But with growing awareness in the Third World of the meaning and methods of neo-colonialism, public relations has become an important phase of foreign policy. In the face of this, Nixon's ambassadors may achieve little more than the stirring up of hostility and mistrust toward the United States in many areas of the world. □

NATIONAL HEALTH

HALF A LOAF IS IN THE OFFING

GEORGE A. SILVER, M.D.

The defection of Sen. Edward Kennedy from his own campaign for comprehensive national health insurance has generated any number of interpretations, the most emotional being "treason." Actually, the bill that those two old pros (isn't Senator Kennedy one of those now, even at his age?), Mills and Kennedy, have sent forth isn't all that bad, considering some of the other bills the Congress has before it in the way of health legislation. It isn't that good, either, recalling what the Senator himself has said in the past about the kind of health insurance program that the country needs. But then, Mills-Kennedy has a couple of striking improvements to recommend it over the Nixon legislation. It isn't voluntary, which would have created intractable complications in cost and administration; and it works through the Social Security Administration rather than private insurance companies, which would also have produced serious cost and administrative complications.

Many motivations can be deduced for Senator Kennedy's "generous compromise," in the words of those who opposed his earlier bill. From a practical standpoint, it was excellent politics. The Nixon bill had every advantage over all the other bills already in the Congressional hopper, and there was a strong likelihood that it would pass. It looked simple to administer, protected everybody against catastrophic medical costs, was voluntary, and didn't clutter up the law books with all sorts of complicated reflections on resource development and doctor redistribution, cost control, special attention to the poor, government controls and the like. It was clean and simple. Workers and employers would each contribute, the government putting up graduated amounts for the poor; existing private insurance companies would collect the money and pay the doctors and hospitals. Everybody would pay something for his medical care, in varying amounts depending on his income, until a ceiling was reached. After that the government would pay all the bills.

It would be easy for conservatives to support the bill because it didn't challenge the *status quo*. Threats to control doctors or hospitals were implicit in other already existing legislation, like the PSRO (Professional Standards Review Organizations) mandated two years ago in amendments to the Social Security Act (see Silver: "National Health Insurance Is Not Enough," *The Nation*, June 8, 1970), or the edicts from the Cost of Living Council. So Nixon's smooth substitute for effective universal health services, carefully titled "Comprehensive Health Insurance Act of 1974," didn't have to risk the appearance of monitoring anything.

Liberals would have a hard time voting against it. After all, it picked up good points in many of the liberal-sponsored bills, like the Ribicoff and Javits proposals, already in the hopper; in some ways it went beyond them. Except for the original Kennedy proposal, the other liberal bills tried hard to tread cautiously in the mine fields of multi-billion-dollar legislative actions that would require from the Congress more people and more money than now provided. Their rhetoric was radical, of course, but the Ribicoff proposal wouldn't start to pay anything until

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people had spent a good part of their income on medical care, and the Javits proposal was a network of carefully worded phasing-in of circumscribed benefits for various groups at staggered periods.

So Kennedy was astute enough to see that the Nixon proposal had a very good chance and that it would pre-empt all future discussion on national health insurance. After *that* bill became law, future amendments would be to the *Nixon* bill, *Nixon*'s National Health Insurance, the *Nixon* Medical Care plan. Hard lines for Democrats (as well as democrats!). Like Bismarck, Nixon was about to make monkeys of the liberals with an apparently more progressive piece of social legislation than they could get through the legislature. Kennedy needn't be a traitor or meretriciously selling out in order to be a candidate for President. He just had to be a canny politician.

Now he can make minimal modifications (all improvements) and it is *his* bill. In committee hearings his former associates and friends can bring in all the arguments that he once used against this kind of legislation. Whereas, if and when his former bill had come up for consideration by these same committees, the vociferous partisans of the AMA and Chamber of Commerce would have hacked the nobility *out* of his bill and he would have been left with the remnants and pieces of a once beautiful (although I never thought so highly of it, myself) legislative proposal. Out of this maneuver, then, he may in fact get much more than he would have if his own bill had come up for consideration. He automatically wins all the conservatives; if the liberals forgive him, he may get them and more balanced legislation as well.

Surprise is the essence of political as well as military strategy; however, this surprise shouldn't have been so stunning. There was almost no large social constituency behind the original Kennedy proposal. The trade union support was mostly from the leadership rather than from the rank and file.

There may be more than clever politics, then, in Senator Kennedy's abandonment of his allies. He may be tired of being right and want to win for a change. Kennedy wants health insurance, now, to take the curse off the increasingly unresponsive health care delivery system; he will look to future Congressional amendments to correct abuses as they develop. This can be described as, at best, Wilbur Cohen's celebrated salami tactics, or, at worst, historic lunacy. In the words of a classical political sage, he intends to "give up his principles and do what's right."

Giving the Senator full marks for motivation, the other realities of the bill balance out as follows:

¶Mills-Kennedy does knock out two really bad Nixon positions—voluntarism and private insurance company control—while accepting two evils: co-payment and exhaustion of resources before becoming effective.

¶ Social Security is strengthened and will control with federal rather than state monitoring.

¶ Effective controls are lacking, but other legislation provides some controls. Kennedy can rely on the Health Maintenance Organization bill and the upcoming Rogers bills to rationalize services and medical education and perhaps even to develop an area health services administration that will put into place all the regional control mechanisms that had been at the heart of his own bill and are missing from the present one.

Nevertheless, it should be kept in mind that, as the wraps come off and the Cost of Living Council dies, the AMA membership under their predatory leadership and the AHA under theirs will leap to capture as much high ground as possible—increases in costs and charges—during the year before the anticipated health insurance law puts any ceiling into effect. And union efforts to organize within the profession, with the attendant cost increases, will be met by shrugs of acquiescence from hospital administrators, so long as the operation continues on a cost-plus basis. Thus we shall go into the comprehensive health insurance system at the top of the financial ladder.

And it is painful for those of us who have written and argued the case for fifty years that—after so many years of planning, millions of dollars invested in collecting and collating data, in trying to assess what is needed and what ought to be done, with all the recommendations from our own and others' experience—we're going to throw it all out the window and undertake an expedient political measure. It seems to be an inescapable fact of American political life that we refuse to learn from the experience of others and want to make all the same mistakes ourselves. We *will* repeat the European mistakes of health insurance, mistakes they have by now largely corrected, since they have had anywhere up to a hundred years in which to regret and mend their ways. Health insurance apparently has a terrible attraction for us and we're going to do it the old way!

Two factors, still unclear, may play large parts in the eventual decision making. One is Mills's penchant for both unanticipated radical or conservative moves after strong contrary statements and his testy protectiveness about his committee's prerogatives. Recall, for example, the emergence of Medicaid although Medicare was the only topic discussed and debated in committee hearings in 1965; or Mills's recent sponsorship of the Nixon legislation only to be followed by his sponsorship of the Kennedy bill a month later. The other great unknown is how much the Congress and its influential members fear the doctors. While the AMA itself has begun to be recognized as something of a paper tiger, the doctors of the country are themselves dangerously prickly about government health insurance. They have been convinced by the propaganda of their own organization over the last half century that any governmental action in the medical care field puts them in jeopardy—professional as well as financial. The contradictory activities of the Nixon Administration, despite the overall contribution made to doctors' incomes, have intensified this hostility to government. While giving doctors a license to milk the Treasury, various new regulations impose infuriating and useless paperwork, little if any of which is reviewed. Irrelevant questions are asked, checks are late, arbitrary decisions are made on eligibility and percentages of reimbursement, and all these contribute to a growing antagonism to any government management in the health field. Of course, the greatest disservice to the cause of integrating doctors into social action was the hesitation and compromise practiced on them over the years. Whenever good and necessary social action

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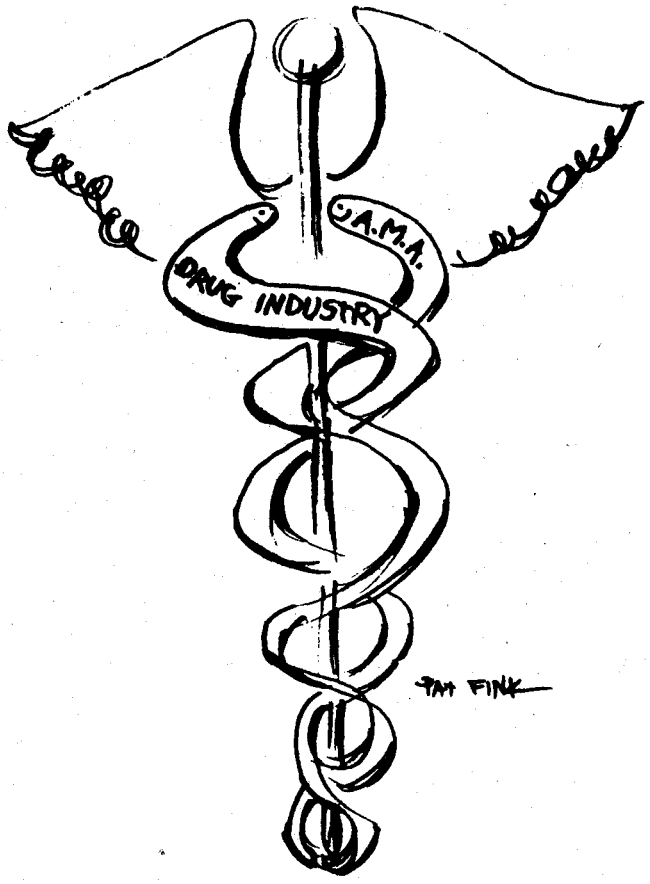

was taken, a variety of bones were thrown to the doctors and these either canceled the intended benefit or created inflationary and obstructive situations. Usually they did both. At no time has the Congress or the American people been prepared to address the doctors in tones of friendly firmness. The feeling that the arcane knowledge and life-and-death capability of this revered profession might be withheld or—real horror!—misused against suspected class enemies has partially paralyzed the hand of society. It's very much as if parents in attempting to deal with a child were to discover or believe that the child had malevolent occult powers.

Rather than analyze the legislation line by line, it might be well to discuss both the Nixon-Mills and Kennedy-Mills bills from the standpoint of their prospects for meeting social and national medical care requirements. These fall into three major categories: meeting the health needs of the poor in a more dignified and humane fashion; cost control; broader access to the medical care system through more equitable distribution of medical personnel and resources. Actually, the whole of it could be summed up in one word—*equity*. However, as a concept, that is easier spoken than spelled out. The above three categories of socio-medical requirements are more operational. If they could be accomplished, equity would probably be achieved.

The benefits provided are substantially the same in both bills: inpatient hospital services, with no dollar or day limitation; physician services in home, office and hospital with no dollar limitation; that is, once the ceiling (of $1,000 per family) was pierced, there would be no further charges to the family.

First, what will happen to the poor and deprived? The Kennedy bill offers a modified income-related premium contribution for the needy, the government portion of which would be paid out of general revenues. For the employed, the employer will be assessed 3 per cent of payroll and the individual worker 1 per cent of his income up to $20,000; this money will go into a Social Security fund. Like the Nixon proposal, this would presumably put all Americans on an equal footing with regard to *paying* for care. Obtaining that care, however, is left to the individual, as it is now, and presumably with the same discriminatory consequences. While the medically indigent will have to meet only a $150 cost-sharing ceiling before the government picks up the rest of his costs, the employed worker will have to pay costs up to a $300 ceiling and thereafter 25 per cent deductible up to $1,000 per family. In the original Nixon proposal this was $450 and $1,500 respectively.

Most important is the fact that the Kennedy bill aims to legislate a *compulsory* health insurance program, while the Nixon proposal was *voluntary*. The difference between the bills on that basis alone can be measured in light years. Voluntary programs, into which all the bad risks (sick people, chronically handicapped, families with many children) would gravitate, would become increasingly expensive and unattractive, particularly as people found they had to pay higher and higher premiums for fewer and more restricted services. In addition, the good risks, getting excellent premium rates from the private insurance companies, would be the preferred patients. Under such conditions, a voluntary system would become increasingly a two-tier system, with poorer and poorer quality and access for the poor and needy. In addition, employers would be reluctant to hire older or handicapped people whose insurance rates would be higher. Or they would actively discourage participation as a condition of employment.

The Nixon bill also ignored the special needs of the chronically ill, while the Kennedy program specifically legislates a voluntary program for their care. The portion relating to long-term illness is modeled on Medicare and provides for a deductible of $150 and 25 per cent co-payment for a long list of necessary services. (This appears to be beyond the general deductible and coverage provisions.) And where the Nixon plan omitted any consideration of incentives for preventive services, the Kennedy bill provides for them generously by eliminating all charges for preventive services: prenatal care, well-child care, dental care for children.

The importance of the addition to the bill of special care and concern for children cannot be overemphasized. For much too long children have suffered even more than adults from the inequities of the medical care system. And of course, poor children have fared the worst. Children have no effective lobby in Washington. Since 1935, only the Ways and Means Committee and, for quite a time now, its chairman, Wilbur Mills, have decided what kind of medical and health care, and how much, American children from families with limited resources can get. Mills has wanted the states to pick up the tab on special health programs for children, and Title V ap-

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Kennedy-Mills Proposal

Who is covered: Everyone except those already covered by Medicare (but see under "Special provisions" below).

Benefits: Inpatient hospital services without limit; physician services in home, office and hospital; other medical services as described (prosthetic, dialysis, X-ray, laboratory, ambulance); limited home health and post-hospital extended care (qualified nursing home) services; limited mental health services; drugs and biologicals.

Collecting the money: A new Social Security tax paid into a new Health Insurance Trust Fund of 4% would provide the basic funding, 3% from the employer and 1% from the worker on salaries up to $20,000 a year. (This latter would, of course, be subject to collective bargaining.) In addition, every family with income above $4,800 would pay a deductible of $150 a person ($300 for a family) and 25% of the bill until a family ceiling of $1,000 is reached. Thereafter, all costs would be paid by the agency. The agency would also pay the cost of the deductible and co-payment for families with income under $4,800 and a decreasing percentage of these costs for families with incomes between $4,800 and $8,800. A basic $1 prescription charge will always be in force.

Paying the providers: A health credit card! No one pays directly to *participating* physicians or hospitals or other institutions. The government agency, through selected fiscal intermediaries (insurance companies), will pay the providers and bill the patient for costs, minus deductibles and co-insurance. Institutions would be paid on a "prospective budgeting" basis. Nonparticipating physicians would collect their fees from the patients who would then be reimbursed according to the standard fee schedule minus the items above.

Special provisions: *(1) Self-employed*: will pay 2.5% of their income up to $20,000. (One curious feature provides that people with unearned income from whatever source must include it in calculating the income base for taxation purposes; there is no exception even for AFDC income, though it is to be taxed at only 1%, the state paying 3%! Someone is pursuing his vendetta against welfare mothers right into the health insurance ring. In Mississippi, where a child would be "earning" $800 a year for his mother, the trust fund would collect another $8!)

(2) Preventive services: prenatal, well-child care, immunizations, dental services for children under 13, routine eye and vision care for children including glasses, family planning services. None of these to be charged for.

(3) Medicare clients: will benefit from the improvements and extensions of the services and drug benefits and be subject to the same $1,000 ceiling.

(4) Voluntary long-term care program: a voluntary insurance program is authorized to cover the cost of home health services, homemaker services, nutrition, long-term institutional care (nursing homes, essentially), day care, foster home and mental health center services. The premiums are to be kept separate from the premiums of the mandatory health insurance program, and the program itself will depend upon the creation of a State Long-Term Care Agency, which will organize and provide for the services to be rendered under the bill.

propriations, with their special earmarkings for child health services, are under sentence of death. While the deductible remains, the elimination of charges for preventive services, and the fact that the participating doctor will be paid by the program and the patient will not need to have money in his hand, remove powerful barriers to seeking care. This bill can be the beginning of a broad and meaningful program of child health care in this country.

The Kennedy bill also improves the Medicare program to the extent that all the benefits provided in the general insurance program would be available to the elderly wherever the Medicare regulations are now more restrictive; for example, it would eliminate all limitations on hospital days.

For cost control, and quality, neither the Nixon bill nor the Kennedy modification offers much. The chief reliance seems to be the hope that other legislation will keep the doctors' feet to the fire: PSRO for example. It must be said that the Nixon bill almost deliberately made it harder to enforce any kind of regulation of doctors' services or fees by ordering the states to be responsible for the monitoring of the program and providing no federal guidelines or controls. At least the Kennedy bill puts the responsibility back into federal hands. The same is true of the financial responsibilities. While the Nixon bill handed everything over, without any strings, to the private insurance companies, the Kennedy bill puts everything back into the Social Security Administration. That federal agency hasn't had too good a record with Medicare, since it has allowed the "fiscal intermediaries" mandated by the Medicare Act (private insurance companies and Blue Cross) to be fairly remiss in discharging their obligations. But the recent performance has been better. The GAO has had something to do with that by admonishing the agency to pull up its socks in a few cases; also the increasing experience of the agency, its disenchantment with the greedy irresponsibility of the carriers, and the exposures in Congressional hearings, like those in the Waldie committee hearings, have made their mark. It is undoubtedly sounder practice to have the Social Security Administration setting standards and watching over them than it is to expect the fifty states to come up with uniformly high standards and carry them out.

The fact is, though, that fee-for-service for doctors and cost-plus for the hospitals, even though masked as "prospective budgeting," have inflationary effects that are almost uncontrollable. In both bills, the fees for doctors are to be ordered through fee schedules developed by the professional groups, and we may be sure that they won't be low. Moreover, doctors don't have to be "participating," i.e., accept the fee schedule as their full reimbursement. They can be "nonparticipating" and charge what they like. The patient will pay that bill, and receive in return from the government only what the law allows!

As for the redistribution of skewed resources like doctors and dentists, and resource development to produce the additional bodies and facilities needed to assure that every American will have access to the medical care that the taxpayer will be financing—that is not part of either Nixon or Mills-Kennedy. Access, too, is to be left

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to other pieces of legislation—the Rogers bill for manpower development, the National Volunteer Service, incentive loans and special recruitment policies into the professional education field. All of which may work, of course, in ten or twenty years, but not in time to fulfill the mandate of either of these laws if passed within the next year or so.

Good things are packaged therein, nevertheless, and as said above, may represent about all that we can expect to get from an American Congress confused by years of disorderly and conflicting debate, terrified of the social and professional power of physicians, cynical of the good intention or capability of big government and, when all is said and done, perhaps secretly not convinced that the good that doctors and hospitals can do is so much greater under an organized system than it is in the present disorganized one.

By way of a credit card ("Health Card"), bills to professionals and hospitals will be paid by government (except to nonparticipants, who may lose customers!) and the patient will be billed for the part he is to pay up to the statutory limit, after which he will be free to use all services without limit and without charge. Every person in the country is entitled to coverage. At long last, the right of every American to medical care will be recognized by law!

While both bills build on the existing structure of medical practice, they do make it easier for patients to insist upon more organized forms of practice to suit their convenience (like neighborhood centers and group practice) since they do not penalize the doctor financially for cooperating with his patients to make this possible. But they do not go so far as to offer incentives toward this end, so consumer education will remain a major task for reformers in the field of medical care systems.

The principle of equity, which should be the major concern of thoughtful Americans, as it is said to have been of the founding fathers, will still be a long way off, no matter which bill passes under whatever modification. Insurance, with its implication of paying for services rendered, is not a sound social base upon which to build an equitable medical care system. However, with either bill, we shall be one step further toward that goal, especially as the legislation directs more attention to medical care of children, the saddest deficiency on the scene today. Some bugaboos will have to be discarded, I fear, before we achieve overall equity—scare words like "free choice of doctor" and "fee-for-service."

An incidental benefit accruing to future generations of my own students is that they may be spared repetition of some donnish humor. For the past twenty-five years I have been accustomed to end my discussion of the future shape of national health insurance in the United States with a quip from a British colleague, to the effect that "Both political parties practice a form of political contraception, in which no matter how suggestive the preliminary movements, there are no embarrassing legislative consequences." □

THE FALSE CONNECTION

POLICE AND THE VIOLENT LEFT

ROSS K. BAKER

Perhaps it is as unfair to require law-enforcement agencies to anticipate terrorist acts as it is to demand of geophysicists that they predict earthquakes. But since the latter, in their endeavor to warn of seismic cataclysms, set up their instruments along the San Andreas Fault or at Niigata, rather than in Vermont or Belgium, it seems no less unreasonable to expect that police agencies would be imaginative in the focus of their intelligence activities. From the humblest local police department to the lofty FBI the record of law-enforcement agencies in averting acts of terror, kidnapping, ambushes and the entire spectrum of politically spawned violence has been lamentable. Such successes as law-enforcement agencies claim for themselves have been gained in only two areas: they have penetrated the Communist Party of the United States and its related organizations, and they have infiltrated those groups on the Left which carry out their operations wholly in the open. In dealing with the "Military Left"—clandestine groups such as the Weather Underground faction of the old SDS, the Symbionese Liberation Army and an array of terrorist sects—the police have been unable to identify them prior to their assault or to apprehend them after it has taken place. (They did finally annihilate a major part of the SLA, in perhaps the most savage demonstration of constabulary overkill since the Haymarket massacre.) This failure can be traced to two distortions in the official perceptions of radical activity: that any given act of terror, or indeed radical activity of any kind, is traceable to some generalized conspiracy; and that methods for the detection and apprehension of politically motivated armies are not qualitatively different from those used to deal with ordinary felons. The conspiratorial model is one that, admittedly, is not restricted to the agencies of law enforcement, but it has particular resonance in police circles.

A fairly typical example of this distortion can be found in a report by the old Committee on Un-American Activities of the House of Representatives, entitled "Guerrilla Warfare Advocates in the United States." It was re-

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leased in 1968. After attributing the larger portion of ghetto violence in the 1960s to instigation by Communists and their sympathizers, the Committee concludes:

> Scores of Communist training schools similar to the Lenin School in Moscow are now in operation behind the iron and bamboo curtains. It is not known how many present U.S. Communist Party members have been trained in guerrilla warfare tactics in these schools. One reason for this is that, in recent years, certain court decisions have nullified effective U.S. controls over the international movement of American Communist agents. For the most part, they have been able to obtain passports at will for travel to any area of the world, for such purposes and such length of time as they desire.

The HUAC alarms of a circulating elite of Moscow-trained guerrilla warriors being insinuated into the United States were echoed the following year by Sen. John McClellan, chairman of the Senate's Permanent Investigations Subcommittee, and Sen. Karl Mundt, then the ranking Republican member. Mundt ominously suggested that "we must ascertain, authoritatively and definitively, whether [campus disturbances] are related manifestations of a master plan."

The HUAC report was able to explain virtually every major urban disturbance of the 1960s in terms of the machinations of some conspiratorial Marxist faction. Accordingly, the Harlem riot of 1964 was attributable in large measure to the "Communists [who] played a role in the creation and continuation of the riots." The committee cited approvingly the report of the Cuyahoga County grand jury which inquired into the 1966 Hough riots in Cleveland and concluded that "[The rioters] were aided and abetted, wittingly or otherwise, by misguided people of all ages and colors, many of whom are avowed believers in violence and extremism, and some of whom also are either members of or officers in the Communist Party."

The Watts riot too was reducible to a cabal. The committee staff summed up its findings by saying, "The story is the same throughout the country. Every 'ghetto' has its nationalists, extremists and Communists. All of these groups are actively working to create riot conditions." With the most cursory mention, the HUAC report dismisses as collateral factors such elements as unemployment, ghastly housing conditions, educational deficiencies and the entire panoply of social and economic evidence generally cited as the genesis of urban insurrection.

But this was a committee of the Congress of the United States, which may be forgiven a certain detachment from the realities of ghetto life. Surely the police, having day-to-day encounters with the American slum, would be less inclined to discard widespread deprivation in favor of conspiratorial fantasies as an explanation of urban strife. Yet in more than one instance, the police have given themselves over to the same chimerical explanations of insurrection. One of the more egregious assignments of responsibility occurred in the aftermath of the Newark riots of 1967, when Imamu Amiri Baraka —then known as LeRoi Jones—appeared on a CBS radio program with Newark Police Captain Charles Kinney to jointly accuse the Newark Community Union Project (NCUP), an SDS affiliate, of having incited the disturbances. According to Kinney, NCUP director Tom Hayden "traveled with both black and white people from Newark to Bratislava, Czechoslovakia, for a meeting behind the iron curtain where they received instructions that we know. Some of this information," Kinney continued, "is coming right from Peiping, as a matter of fact, and it's coming from China by way of Canada. . . ."

It is inconceivable that a law-enforcement agency could have forecast the emergence of the Symbionese Liberation Army or averted the Zebra killings in San Francisco by monitoring the traffic in and out of Moscow or Bratislava. The belief that admits of no source for domestic violence save that which is hatched in Communist capitals is unlikely to provide much protection against such depredations.

The second principal encumbrance to the ability of police agencies to deal with terrorism is the notion that techniques suitable for use against safe-crackers, bank robbers and muggers will yield useful results in dealing with political terror. Arthur Niederhoffer, a sociologist and one-time New York City police lieutenant, conducted a survey of his former department in the 1960s and found that the police themselves place substantially greater value on the use of informers than on hard work or dedication to duty. Informers unquestionably play a major role in the apprehension of conventional criminals, but as agents to neutralize political dissidence or blunt political terror, their shortcomings are substantial.

Perhaps the most spectacular failure of police agencies in this area is their inability, as of this date, to track down the principals of the Weather Underground and related groups who have been at large for four years. The leadership of that SDS splinter group is still largely intact and, far from being quiescent fugitives, the Underground has issued almost a score of "communiqués" since making the wanted list in 1970. The most recent of these acclaimed the Patricia Hearst kidnapping as having "unleashed an astonishing practical unity among people's organizations, and a leap in everyone's consciousness about the fundamental reality that will not die or pass into the memories of the previous decade. That is, the war be-between the rich and the poor." The Weather Underground punctuated their support of the SLA early in June by planting a bomb in the Los Angeles office of California Atty. Gen. Evelle Younger. Since April 1970, when the FBI began to issue fugitive warrants on them, not one important Weather Underground figure has been apprehended. The sole successes that the police can claim are:

¶The apprehension of Karleton Armstrong in Canada for bombing the Mathematics Center at the University of Wisconsin in 1970 and causing the death of a graduate student; his alleged co-conspirators, Leo Burt and David Fine, are still at large.

¶The arrest of H. Rap Brown after he allegedly held up a bar in New York.

¶The apprehension of Pun Plamondon of the White Panther Party for purportedly blowing up the CIA office in Ann Arbor, Mich. This occurred, however, only after he had called attention to himself by littering a Michigan

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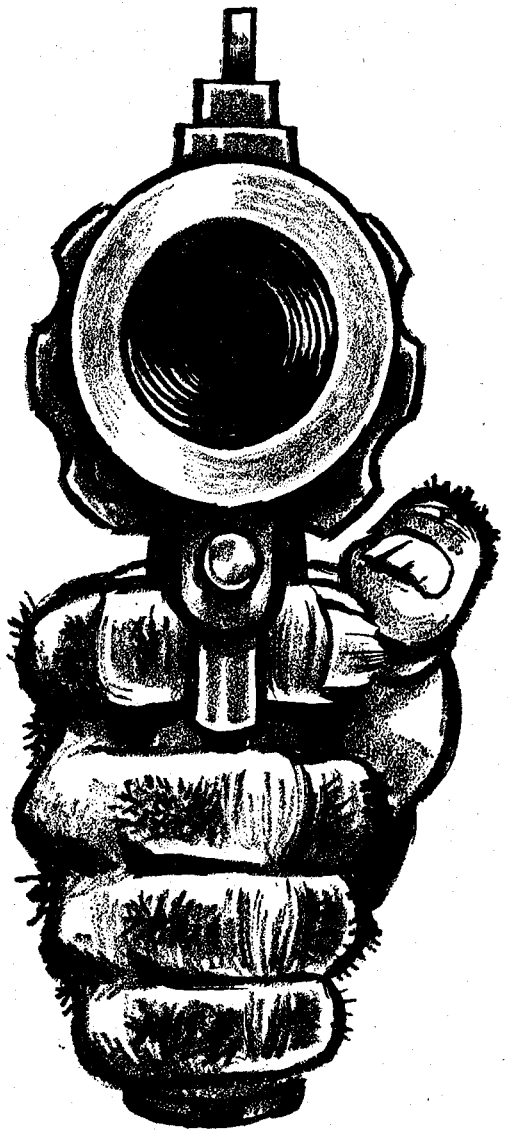
roadside with beer cans. Still uncaught, in addition to Fine and Burt, are: Bernardine Dohrn, the first lady of political violence; Mark Rudd of SDS at Columbia University; Susan Saxe and Katherine Power, the Brandeis bank robbers, and John Jacobs, Howard Machtinger, Jeff Jones and Bill Ayers of the Weather Underground.

The attitude of the FBI toward these elusive radicals was summed up by a bureau spokesman: "We don't make that much distinction between the radical and other criminals. Most of these young fugitives are wanted for conspiracy, sabotage or unlawful flight. We regard them as ordinary criminals." If that is in fact the assumption



Bill Gardner, The Evening Star (Washington)

upon which the bureau operates, it is no wonder that their efforts have achieved so little. Political fugitives are unlike the felons with whom police and federal officials are most familiar. They are, on the whole, better educated, far more resourceful and considerably more self-disciplined. They are armed with an ideology which sustains them in the belief that their actions serve some greater good, and are therefore less vulnerable to the mistakes of ordinary criminals who act from passion or a desire for gain. They have no large sums of money to spend and none that can be traced. Most important, they move in circles that are largely unknown to the police and in which inquisitive outsiders are treated with great caution. It is a subculture which has been sensitized to informers, one in which drugs are often used and where, accordingly, vigilance is the norm. Fugitive radicals seldom have previous arrest records and they are unlikely to associate with persons who are themselves under suspicion. The promise of a reward is not apt to tempt those who shelter political fugitives.

An underground railroad for fugitive radicals is unquestionably operating with considerable efficiency. It has spirited out of the country such radical celebrities as Eldridge Cleaver and Timothy Leary. It sheltered the Berrigan brothers and has probably aided the fugitive Weather people and scores of draft resisters and Army deserters. The police and FBI seem powerless to penetrate this emigrant aid society.

The ineffectiveness of the law-enforcement agencies in dealing with this group of radicals stands in sharp contrast to well-publicized successes of the police in penetrating groups of other types. It is no coincidence, however, that the radical associations that have been most thoroughly and systematically infiltrated have been precisely those that have given no thought to screening out informers; those that have been associated, to one degree or another, with the Communist Party of the United States, and those that accept members with previous criminal records.

The success of the FBI in penetrating the Communist Party is legendary. It is not much of an exaggeration to say that the bureau "runs it," in the sense that Sir John Masterman of the British MI 5 "ran" German agents during World War II. In a *tour de force* of bureaucratic puffery, the FBI proclaims the C.P.'s ineffectiveness while claiming that this feeble organization is in turn infiltrating the protest movement. (See "Hoover's Legacy" by Frank J. Donner, *The Nation*, June 1.)

However, the attention lavished on the Communist Party has helped the FBI to deal with certain other radical groups, most notably the Black Panther Party. The Panthers managed, in the course of their brief ascendancy, to make two crucial mistakes that left them open to official penetration. They paid little attention to security, opening the party to all plausible recruits, and they fell back upon the Communist Party for financial assistance. The first error was probably serious enough, but by accepting subventions from the C.P., the Panthers assured official infiltration.

To understand the ease with which law-enforcement agencies penetrated the Panthers, one need only consider the almost haphazard nature of the group's rise to national prominence. The Panthers began as an essentially local organization in the San Francisco Bay Area, and the leadership in Oakland was wholly unprepared for the burdens of a national organization. During its period of most extensive growth, 1967-68, it was considerably easier to obtain recognition as an affiliated chapter of the Panthers than it was to secure a franchise from a fast-food chain. There were no background checks, no

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tests of commitment, no screening of members. Little more than the Panther livery of black leather jacket and beret and an agreement to take consignments of the party's newspaper qualified a group as an affiliate. The influx of new members and the proliferation of chapters absorbed many new recruits of dubious loyalty—and even more questionable motives. Along with the young blacks who saw in the Panthers a serious radical organization, there came at least an equal number who sought self-aggrandizement, personal gain or simply companionship. And, of course, all over the country the FBI and the local police were sending in their own people.

The New York police have been proud of their mastery of the Black Liberation Army (BLA), whose members now stand accused of the murder of several policemen, a bank robbery and an attempt to free some of their adherents from the Manhattan House of Detention. The clue to the success of the police in catching a substantial part of the BLA leadership is the fact that the directorate of this militant group is composed almost entirely of former Panthers who refused to abide by the more conservative policies of Bobby Seale and Huey Newton, and chose to follow Eldridge Cleaver as leader-in-exile. Having already penetrated the Panthers, the police found it easy enough to narrow their search for BLA members to those who have been associated with the Cleaver faction. But despite police claims to have broken the back of the BLA, some adherents are still free and were even bold enough to stage a bank robbery in New Haven in early May.

It is no great accomplishment to plant informants, provocateurs and agents in radical organizations when such groups are either innocuous, disorganized or conspicuous. The most significant successes have been with the Catholic Left, the Panthers, the Communist Party and mass campus protest groups, where the target organization had neither the inclination nor the ability to avert penetration. But the police have failed or achieved only limited objectives with surreptitious terror groups that are sufficiently compact, cohesive and secret. The "affinity groups" and "tribes" that sprang up on the West Coast after the breakup of SDS in 1969 fit this description; so does the SLA. These groups are small enough to permit perfect security and ironclad control of recruitment. Since they make no effort to establish a mass base, they call little attention to themselves.

The authorities seem less willing to address themselves to the problem of such small terrorist sects than they are to cope with mass organizations whose goals are neither pernicious nor even objectionable. On the surface, this may seem odd, but the explanation is quite simple: the police do what they have reason to think will succeed. By conspicuously declaring their objectives, protest groups come under immediate official scrutiny and surveillance; the objectives of clandestine terror groups gain official notice only after they have struck. Seeking favorable publicity, like any other bureaucracy, the police penetrate and discredit nonviolent political groups, and are diverted from the more important task of quelling the terrorists. If terror groups do not oblige the police by associating with the criminal underworld or previously infiltrated political groups, or fail to exert control over recruitment, or bid for mass support, they can be reasonably certain of freedom from apprehension. The "Death's Angels" group in San Francisco, which is allegedly responsible for the "Zebra" killings of twelve whites, was apparently uncovered by an informer.

Until recently, the police and the terrorist organizations have maintained a balance of power. The weaponry was comparable and, while the terrorist had the advantage of surprise, the police had the decided edge in numbers. This is going to change. We have already seen, in the tactics of the Irish extremists, Protestant and Catholic, and the various Palestinian guerrilla groups, a disposition to escalate the level of violence. The Italian police recently uncovered a plot by a Palestinian organization to use the new shoulder-fired surface-to-air missile against Israeli airliners landing at Da Vinci Airport. The IRA has already used ground-to-ground missiles in its assaults. These weapons present a real prospect for bargain-basement terror. They are small, cheap and readily transportable, and have already made their appearance on the international arms market. A fear expressed some years ago but quickly consigned to the realm of science fiction was the "suitcase nuclear weapon." It is now deemed possible to construct such a device. The growth of nuclear power plants places fissionable materials within the reach of terrorists and fanatics, since security on civil atomic power generators is by no means as rigorous as that around military nuclear facilities.

New forms of ransoming and extortion are making their appearance. Again the IRA has been in the vanguard. Public and private treasures and works of art may be "kidnapped" with increasing regularity. This variety of kidnapping eliminates the risk of being charged with a capital crime, yet allows the perpetrator to make enormously extortionate demands. The ransoming of public buildings, highways, bridges and other facilities by concealing small but powerful explosives in them is a novel approach yet to be widely exploited by terrorists, but firmly within the technological grasp of potential extortionists.

It is a question whether the law-enforcement community can rise to the challenge of these new frontiers of terrorism. The past performance of the police indicates that they have little difficulty in harassing and confounding the harmless radical groups and are quite effective in frustrating more menacing radicals such as the Panthers. But when confronted by the ingenuity, cohesion and protective coloration of the new generation of terrorists, the tried and true methods are revealed as simplistic, cumbersome or simply outdated.

Moreover, the most genuine value of effective law enforcement in the United States is to be found not in the ability of police to shoot it out with terrorists when they do find them but in their ability to discriminate between dissent and terrorism. The development of such powers of discrimination must also be tempered by a decent regard for the Bill of Rights. The acceptance of legitimate protest by authorities and the recognition of the privileged position it occupies should also relieve the police of the burden of intimidating the harmless and free them to avert the savagery of the terrorist. □

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FREE SPEECH FROM NINE TO FIVE

DAVID W. EWING

"How long will it be," a man asked me on the elevator the other day, "before the Bill of Rights is really enforced in this country?" At first the question may seem absurd. The Bill of Rights was enacted 185 years ago and the courts have been broadening its application ever since. The man who questioned me was well-dressed, well-paid, articulate and free. He did not belong to some isolated group that had failed to present its case to the Equal Employment Opportunity Commission.

But the question was not absurd. The man was an employee of a good-sized corporation—and an engineer. Corporate employees do not enjoy, and have never enjoyed, such basic guarantees of the Bill of Rights as free speech, free press and due process of law—at least, in activities that concern their employers. In particular, nonunion employees lack these basic rights. Labor legislation provides a small measure of protection for union members, as do employment laws for government employees, but engineers like my friend on the elevator, scientists, managers, secretaries, accountants and many others are virtually defenseless against a company that wants to fire or demote them because it does not like their social, economic or political opinions.

Business leader Robert Townsend, of *Up the Organization* fame, has called businesses "despotisms." This harsh description does not apply to some enlightened, progressive corporations, but it describes the majority of them and is legally accurate for all. As law dean Lawrence E. Blades of the University of Iowa has observed, all employers "may dismiss their employees at will . . . for good cause, for no cause, *or even for cause morally wrong,* without being thereby guilty of legal wrong."

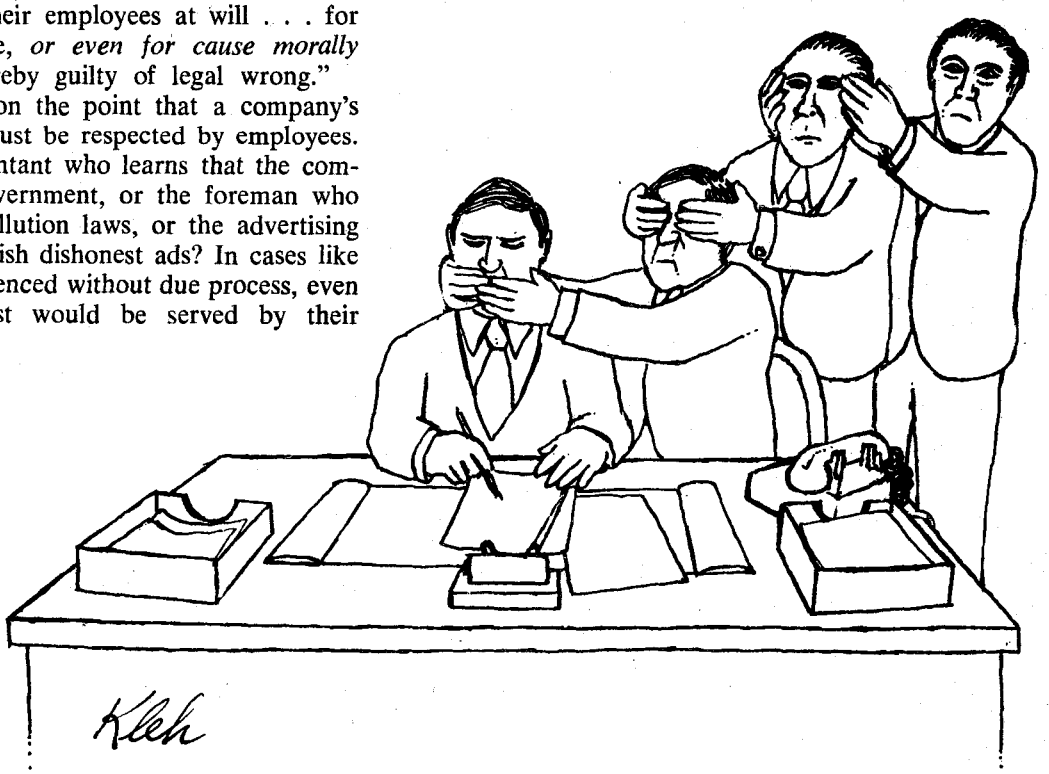
There is no argument on the point that a company's legitimate private affairs must be respected by employees. But what about the accountant who learns that the company is defrauding the government, or the foreman who sees his plant violating pollution laws, or the advertising manager instructed to publish dishonest ads? In cases like these, employees can be silenced without due process, even though the public interest would be served by their speaking out.

Thus the workweeks of some 80 million employees in the United States represent an enormous "black hole" in the Bill of Rights universe. Traditionally, employee rights have been as nonexistent as light from the invisible giant stars, compacted so hard and for so long that they could produce no emissions, no signs of activity. Because there was no basis for making complaints, nobody knows how much legitimate criticism of business practices was quashed in the past, or even how many employees lost their jobs or scheduled promotions for exercising free speech.

But now a centuries-old tradition is being changed; there are signs that the black hole is decompressing. In the courts, in administrative proceedings, in the press, in associations and in the business community, we are beginning to see the emergence of new attitudes and of strong-willed people determined to implement them.

In the courts, the most interesting case is that of Louis V. McIntire, who was for sixteen years a chemical engineer with the DuPont company in Texas. In 1971, McIntire and his wife published a novel, *Scientists and Engineers: The Professionals Who Are Not.* The story satirizes a fictional chemical company and its management, takes some swipes at exploitative company policies, and suggests, through one of its main characters, "that engineers and scientists should unite in an effort to try to change management's treatment of them."

Despite his many years of service, McIntire was fired after the book came out. He claims the reason for dismissal was the book, not his work performance, and he



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is suing DuPont for $20 million in damages. The Houston law firm of Combs & Archer will represent him in court. A partner in the firm claims that McIntire's right of free speech was violated and also notes that the engineer has been blackballed from getting other employment.

The case is newsworthy not only because a professional employee has the temerity to take the role of David against a corporate Goliath but also because a law firm thinks he has a fighting chance. It is also significant that the prestigious magazine, *Science,* interrupted its usual technical fare last December to devote an unprecedented 2-page news spread to the McIntire case and related developments. Not many years ago McIntire's behavior and the reactions to it would have seemed bizarre; today many thoughtful people in and out of business and science are watching the case.

Arbitrators and labor relations officials have always taken a fairly narrow view of employee rights, but now there is evidence of a new mood in their decisions. For example, the National Labor Relations Board recently accepted a case involving a question of free speech. A plant manager had given a talk to employees, in which he decried the union. When he finished, an employee stood up to ask a question. "I won't accept questions," the manager said. "Sit down." The employee, a known supporter of the union, refused to sit down and tried to get the manager to answer the question. The employee was fired for insubordination. Refusing to accept the company's reasoning about its prerogatives, the NLRB ordered the employee reinstated.

Although the underground press leads a fly-by-night existence in the business world and survives in only a few companies, it could become the precursor of an important development. Employee newspapers that criticize company practices have always operated surreptitiously because their editors and writers fear reprisals. Yet in the early 1970s periodicals like the *Met Lifer,* printed off and on at Metropolitan Life Insurance Co.; *Stranded Oiler* at Standard Oil Co. of California, and *AT&T Express* at Pacific Telephone & Telegraph Co. successfully aired employee complaints about discrimination in lunchrooms, layoff policies and other matters. (See "White-Collar Conscience: The Corporate Underground" by Timothy H. Ingram, *The Nation,* September 13, 1971.)

Officially, management ignores such publications, but it finds them upsetting. For one thing, they are usually run by young ex-college employees. More and more, these people come into business with training and know-how in anti-establishment reporting, for in both colleges and high schools student editors have become increasingly independent of faculty supervision and ever more willing to criticize school policies.

What is more, experience from abroad shows the U.S. official company publications are unnecessarily bland. In Sweden, for example, a world leader in shipbuilding has found that productivity can go right on increasing despite strong doses of employee criticism in the company newspaper. As U.S. business extends its operations abroad, we hear about such practices more often. Is despotism really essential to efficiency in business? More management people are beginning to wonder.

David Ewing is executive editor for planning, the Harvard Business Review.

Coming Next Week
THE REAGAN YEARS
Larry Agran Daniel J. Biederman

Of special significance to the future of employee rights are the efforts of professional associations. The American Chemical Society leads the way. It has set up a legal aid fund to help chemists and chemical engineers fight punitive discharge or abusive treatment by employers. It has drawn up guidelines that put limits on management prerogatives, and Chairman Alan C. Nixon hopes to persuade all scientific and engineering societies to endorse them. Nixon would like to have such standards included also in the National Labor Relations Act.

Other organizations battling for employee rights are the American Civil Liberties Union, Ralph Nader's Clearinghouse for Professional Responsibility, the California Society of Professional Engineers, and the Airline Pilots Association. The ACLU's most recent victory was the reinstatement, after a long and costly legal fight, of A. Ernest Fitzgerald. He is the Air Force official who testified in Washington four years ago that the Lockheed C5A would incur $2 billion or more of cost overruns. The Air Force, which had hoped to keep the data secret, reacted as if enemy planes had appeared on its radar screens. Though it had cited Fitzgerald only a year before for "outstanding leadership," it had him sacked.

When discussing employee rights with businessmen, I found many under the illusion that this movement is a brainchild of professors, student radicals, caballing lawyers, or Ralph Nader's minions. They are wrong. Within the management castle, as well as out in the woods and fields, there is growing support for employee rights. In an in-depth survey I made of the opinions of 3,500 businessmen, most of them successful executives in affluent corporations, more than a third voted strongly for the right of dissident employees to speak with impunity against corporate policies not in the public interest. The sentiment was even stronger among the younger managers, the ones who will be succeeding to power in a few years. Moreover, the notion of a "bill of rights" for corporate employees has been advocated in the *Harvard Business Review* and will doubtless find its way soon into other management journals.

The social and intellectual environment of industry and government is changing, and with it, the mood of employees. There is growing impatience with the concept that anywhere, in any organization, rights of free speech and free press should be suspended. The new mood is coming over organizations, gradually but comprehensively—more like the profound alteration of water and sky that sailors call a "sea change" than like a line storm. It will help to reduce employee apathy and to stimulate public interest in corporate affairs. It will encourage the corporation to be the servant of the republic as well as of its stockholders. □

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BOOKS & THE ARTS

Say Not the (Class) Struggle Naught Availeth

THEM AND US: Struggles of a Rank-and-File Union. *By James J. Matles and James Higgins. Prentice-Hall. 311 pp. $6.95. Paper $2.95.*

MAX GORDON

Since we are all to one or another degree prisoners of our conditioning, the social judgments of the historian, political scientist and New Left theorist inevitably reflect the bias of the intellectual. From such vantage points, working-class aspirations and experience are only dimly perceived, if at all, and their role in social development correspondingly underestimated or ignored. The result, at times, is a distortion of history and the lessons derived from it.

The book under review, one of very few written about labor's struggles by a prime mover, is a useful corrective which should stimulate some revised thinking about our experience of the last forty years. Not that this was the primary intent of the authors, though it may well have been in back of their minds. James Matles, a pioneer organizer of the United Electrical Workers Union (U.E.) in the 1930s and one of its leaders ever since, has collaborated with a veteran progressive journalist and ex-shipyard unionist to write a history of the U.E. intended chiefly for the union's membership.

It is a rich history, closely intertwined with historic figures and events—FDR, the economic crisis and the New Deal; the rise of industrial unionism and the organization of the mass production industries; economic and labor policies in World War II and the immediate post-war period; the Truman administration, initiation of the cold war and the anti-Communist crusade; the split in the CIO; McCarthyism and the bleak years of reaction; joining of the AFL and CIO; the Vietnamese War; the related efforts to reunite labor and break the hold of the giant electrical trusts on the negotiating process following the cold-war splits in the unions.

Plainly, a detailed telling would require volumes. The technique employed avoids this by a selection of specific incidents and struggles illuminating the whole. The result is an absorbing book of reasonable brevity. In the main, each incident is related in a few pages, with the relevant historic process lightly touched upon. A few decisive union struggles are given more extended treatment and might be studied with profit by unionists generally.

We are dealing here with an unusual union, a fact not unrelated to the book's significance beyond the parochial. For one thing it prohibits, constitutionally and in practice, officers' salaries higher than those received by skilled members. At this writing Matles, the general secretary, gets $14,700 a year—the top. This reflects the leadership's abhorrence of "business unionism" and its determination to maintain an organization which does not separate leadership from rank and file. The book's title, a rank and filer's expression of identification with the union, suggests this determination; the union and the worker are one—"us." The book also tells of Matles' reaction to the luxurious new manner of life he encountered among union leaders at the 1946 CIO convention. One consequence, he maintains, was the relative failure to build the CIO since the war's end. CIO leaders were being transformed into "labor statesmen" and were becoming indistinguishable from the AFL in the eyes of workers. In addressing the convention, Matles challenged those leaders to get out of their swivel chairs and down to the factory gates, as they had done in 1937 and 1938. This, as the book indicates at several points, has been his own practice.

The union's rank-and-file character is also protected by an effective shop steward apparatus in all plants, with careful attention to training of stewards. In many unions, such an apparatus has long atrophied. Matles believes that because of the rank and file's identification with the U.E., it was able to weather the combined assaults of government, CIO and corporations after 1949, designed to crush it because of its opposition to the cold war and its presumed Communist leadership. Except for Harry Bridges' Longshoremen's Union, it is the only union eliminated from the CIO in 1949-50 which has maintained an independent existence. Bridges' union, however, was not confronted by the far-flung raiding operations of a CIO-organized dual union backed by the federal government.

The story of the U.E.'s birth is instructive. As a youth, Matles worked in a Brooklyn machine shop. In late 1929, with the advent of the depression, many were laid off in the shop and wages were cut. There was no union, and efforts to organize one meant immediate dismissal if they were discovered. Encouraged and guided by workers who had belonged to the International Association of Machinists (IAM) during World War I, the younger workers in the machine shops in the area painfully and slowly organized. In the process, they became adept at ferreting out labor spies. The union they set up was the Metal Workers Industrial Union, an affiliate of the Trade Union Unity League (Communist-led, though the book does not say so). The MWIU secretly organized groups in dozens of machine shops and electrical plants as far west as Minneapolis, including the giant General Electric plant in Schenectady and the Westinghouse plant in East Pittsburgh. With Roosevelt's inauguration and the adoption of the National Industrial Recovery Act (NIRA) in 1933, the situation changed dramatically. The famed section 7A of the NIRA, extending to workers the formal right to organize without employer interference, provided no enforcement powers as did the later Wagner Act, but it "ignited the spark that started the organizational engine humming in mass production." Unionists in the shops emerged into the open and made their pitch on the basis both of legality and the fact that the immensely popular President was for unionization. Almost overnight, thousands flocked into fledgling unions organized industrially. By the fall of 1934, the pattern and extent of industrial organization in the mass-production industries led John L. Lewis to deliver his historic speech, at the AFL convention, calling for industrial organization. The book traces the formation of the CIO, as well as of the U.E. in 1936 by locals in the electrical industry and, in 1937, amalgamation with the machinists who broke from the IAM on the issue of industrial unionism.

From the outset, the infant U.E. set its sights on organizing the giants of the electrical and radio industries—General Electric, Westinghouse, RCA, the General Motors electrical division—and on winning company-wide contracts from them. The book describes the resource-

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I CANNOT WAIT ANOTHER DAY

I cannot wait another day, and another day, yet do.
The waste of golden time clings to my fingers.
We're so ringed round with absence I can hardly move
toward you without a sudden leap of prayer.

Across such distances, such slipping days and nights,
by way of maelstrom and balked dream and balancings
on snarling walls, must our joy clasp
and hold and sweetly move. I have swung down

from the bright hooked tip of the crescent that cut my fingers,
swung on the careful, frozen rope of thought to touch
this earth with our joy. But you are there, I here;
you here, I there. This is mere mortality—

or have you too been swinging, circling, dropping, staring
beside me all these moments? Did your joy too
swing toward where mine might be, to know itself again
just where we hit hard earth and oblivion touched our hearts?

M. L. Rosenthal

ful ways in which the union went about its program and the intense struggles involved. By 1941, when the United States entered the war, the initial organizing objectives had been realized. By the end of the war, the U.E. was the third largest CIO union—behind auto and steel.

Based on their experience the U.E.'s leaders evaluated Roosevelt as one who "stood up under" the pressures of "the big barons of industry, the financiers and bankers" in behalf of "economic security and political freedom." It is clear from the book that the authors believe FDR and the Wagner Labor Relations Act were highly important assets in the U.E.'s struggle against the immense power of the corporations, but these assets had to be put to proper use. The book also pays tribute to the LaFollette Senate Committee investigation of the labor spy racket, which effectively crippled that anti-labor instrument.

During the war, living costs increased 45 per cent and wages only 15 per cent. Corporate profits totaled $117 billion. In late 1945, the Big Three CIO unions insisted upon substantial wage increases to compensate in part for losses in living standards. Their demands were rejected, the auto union struck General Motors, the U.E. struck the three giant electrical trusts, and the steel union struck all of steel except the small Kaiser Company. Close to 5 million workers were involved in strikes during 1946. After months of struggle, the three major CIO unions won their wage demands or came close to it. A specific issue in the General Electric strike was equal pay for equal work for women. This had been won during the war, but the company now sought to make sex distinctions in pay raises. The union gained its point.

In March 1946, at Fulton, Mo., Winston Churchill formally declared the cold war. As the U.E. leaders saw it, this not only threatened the peace but it was a godsend to U.S. corporate leaders facing a powerful, united movement in the mass-production industries and the prospect of curtailed military contracts. The cold-war atmosphere permitted them to undermine the Wagner Act in Congress with the Taft-Hartley Law and to divide the unions through redbaiting. It also afforded military contracts without actual warfare. Because he promoted the cold war and the associated witch hunts, Truman was charged with "nourishment of profiteers" by the U.E. leaders. The contrast with FDR was starkly drawn and deliberate.

The U.E. was no stranger to the Communist issue in 1946. In August of 1938, the first major witness called by the newly created Dies committee had been John P. Frey, head of the AFL Metal Trades Department, whose role was to stigmatize the CIO, and particularly the U.E. which had absorbed members of his organization, as a Communist conspiracy. In 1941, when the union's president, James Carey, was successfully opposed for re-election, he made an issue of a local's query as to whether it could constitutionally bar Communists and Fascists from holding offices. The union's position, as enunciated by the General Executive Board and approved by the 1941 convention, was that the U.E. constitution barred all discrimination based on "craft, age, sex, nationality, race, creed or political belief," and that there should be no deviation from this fundamental principle. It has firmly adhered to it ever since, successfully defeating efforts of employers to fire Trotskyites, Communists and other radical targets.

With the initiation of the cold war, however, the CIO began to come apart on the Communist issue. The book tells the story largely as it affected U.E., a prime target because of the nature of the industry. Initially, all CIO leaders pledged their refusal to sign the non-Communist oaths required by the Taft-Hartley Law for participation in collective bargaining elections. But several, led by the auto union's Walter Reuther, broke their pledges and began raiding the U.E., using bargaining elections from which it was barred. When protests to the CIO's president, Philip Murray, proved futile, the U.E. refused to attend the 1949 CIO convention or to pay its dues. It was expelled and a new International Union of Electrical Workers (IUE) was set up as a rival. In 1950, seven other CIO unions were expelled for alleged Communist association, a fact curiously not mentioned in the book. In the end, the U.E. leadership was compelled to sign the Taft-Hartley affidavits; the alternative was extinction.

Through coordination of bargaining elections requested by the IUE, and local public witch-hunt hearings by either McCarthy's committee or the House Un-American Activities Committee, the CIO nibbled away at the U.E.'s membership. By 1955, when the AFL and CIO amalgamated, it was down to about 140,000, or less than half the number before 1949. At that point, ironically, the Communist Party joined the combination against it, though the book does not put the matter that way. It reports that several field leaders, often labeled "Communist," defected, taking with them local organizations totalling 50,000 members. The defectors estimated that the U.E. would not be able to survive the merger of the two federations, which the Communist Party hailed. The book argues that some of the defectors had simply panicked because at that point the Subversive Activities Control Board had taken action against the U.E., and that others had "confused" the merger with legitimate rank-and-file labor unity. In fact, the U.E., a consistent supporter of peaceful relations between the United States and the USSR, ironically became the victim of the "spirit of Geneva," the Eisenhower-Khrushchev rapprochement which influenced the Communist Party's attitude toward the AFL-CIO merger.

But the union, though reduced to 90,000 members, survived. The SACB action was dropped, and the U.E. went on eventually to develop united action with the IUE and other unions against

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the common enemy, the electrical trusts. In 1969-70, in a joint strike against G.E., the unions broke the hold of "Boulewareism," which for twenty years had been an effective corporate formula for the prevention of genuine bargaining. Its effectiveness, evidently, had had its source in the division among the workers. Today, the U.E. has some 165,000 members.

In summing up, the authors touch on some current problems facing trade unions, such as the rebellion against production pressures, the boredom and monotony of factory work; the effects of new automation technology domestically, and the impact on U.S. labor of highly developed technology abroad; the lack of class consciousness and labor education among young workers; the continued absence of political independence on the part of labor. While the CIO objective of the 1930s, organization of industrial unions in the mass-production industries, has been achieved, the authors still see, as long-range objectives, the organization of the millions of the unorganized, redistribution of wealth and income, the development of an independent political movement.

Conceding the need for brevity in a work of this kind, there are still a few noteworthy omissions. Thus, though the U.E., along with other unions, has encountered problems and struggles associated with racism in industry, none of that is mentioned. The union's constitutional stand against discrimination is referred to, but during World War II the issue of production jobs for black workers throughout industry was acute and created sharp conflicts, often between racist-minded white workers and union leaders determined to break down discrimination. For a rank-and-file union this may well have posed the dilemma defined by Madison for the entire society: how to deal with the oppressiveness, in a democracy, of a white majority. After the war, an abortive effort was made to develop a system of super-seniority so that all blacks hired during the war would not be eliminated from the shops because of low seniority. What, we wonder, was the U.E. experience?

Some fundamental new problems facing American labor and the nation, such as the impact of multinational corporations and the environment, as a collective bargaining matter, are referred to only tangentially. In the light of the U.E.'s own current efforts in these areas, that is disappointing.

While the book gives considerable internal evidence of membership control of the union, its rank and filers are in a rather better position than I am to evaluate Matles' image of it. But as a short account—simply told, yet profound—of a significant slice of recent American history, the work is both instructive and moving. □

Real Coffee, Ideal Coffee

NICKEL MOUNTAIN. *By John Gardner. Alfred A. Knopf. 320 pp. $6.95.*

THE TRAPPER'S LAST SHOT. *By John Yount. Random House. 236 pp. $6.95.*

ALAN CHEUSE

"The pure products of America go crazy," William Carlos Williams once suggested about our nation's savaged working people. They succumb to life's attacks, he added:

> *without*
> *emotion*
> *save numbed terror*
> *under some hedge of choke-cherry*
> *or viburnum—*
> *which they cannot express—*

or so Williams expressed it for them. The laborers and service workers in John Gardner's marvelously composed new novel, *Nickel Mountain*, live a life which seems the opposite of this ferocious existence. But the beautiful hues of Gardner's New York State landscape and the auras emanating from his leading characters, like the feelings Williams suggests his emotionless folk cannot express, appear to be more the function of the viewer's lenses than of the things and people themselves.

Forty years ago, William Empson dismissed such writing as a form of pastoral. He had before him as examples of this style the flawed, false realism of the so-called proletarian school whose practitioners portrayed working people with the same rhetorical means employed since Flaubert for the dissection of the middle class—a carefully organized, temporally progressive narrative coupled with an ironic point of view. In a book that he calls "a pastoral novel," John Gardner has attempted once again the paradoxical task of speaking for the speechless and feeling for the numbed. But he does so by meeting Empson's objections directly, dispensing with the traditional methods of realism and returning to the root form of such narratives. Thus he does not attempt to test the values of the class he writes about but, rather, of the class to which he belongs and for whom he writes.

One should not expect, then, to find real coffee in real coffee cups in the Catskill diner owned by the middle-aged, overweight bachelor Henry Soames, the scene of much of the activity of Gardner's story. But in the actions of the truck drivers, policemen, farm workers, hotel clerks who lumber across this ideal landscape (in which even danger is the ideal of danger and so is rendered harmless) we can see the central values we presume all people ought to live by tried, tested, held up to the light. While thus abjuring the major narrative devices of the 19th-century realistic mode, Gardner employs pastoral at the service of the same critical sense of values we associate with realism.

The main story, by its very lack of

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THE END OF JULY

I am languid,
And the sky is clouded,
And the sheep are louder—
Full moon tomorrow morning.

In every hedgerow
The flower-cups are crowded
With mating insects
Who will not separate

Although we lift them
Onto our finger-nails
For scrutiny, astonished
By their casual indifference.

Gnats halo us like spirits.
Somehow they make me think
Of my ancestors.
The full moon brings out ghosts.

Plaintive and angry,
The newly-weaned lambs huddle
At each field's corner.
They must sense the thunder.

The trees' dense foliage
Hangs limp as costumes
Pressed close into a wardrobe—
Static phantoms.

Last night the moon looked almost red,
Engorged with power.
We wait, uneasy creatures,
The approaching hour.

Ruth Fainlight

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embellishment and complication, suggests a simplicity as familiar as dreams are familiar, and as unreal: Soames, a heart patient with either minutes or a lifetime to live, discovers that Callie, his appealing young waitress, has been made pregnant by her college-age boy friend who has since fled town. Soames courts her, proposes to her, marries her, builds a life, raises the child, and expands the diner which stands as the still point of a still-life world in which friends, neighbors, relatives, country folk and townsmen demonstrate a variety of ideal behaviors. Like Soames himself, who frequently drives at night to the slopes of nearby Nickel Mountain to clear his head of the working-day wearies, the reader may find here a welcome palliative for his own weary mind by pondering "the brilliance of the night, the shocking perfection of the stars, the trees, the rocks. . . ." But, unlike Soames, the reader may discover that the clarity of motive and motif comes at great cost. Nickel Mountain stands at the other side of the world from Mann's Magic Mountain. On that latter peak, time only seemed to stand still while the world raged below. Here the dawn seems "far away," and there is no distinction between seeming and being.

To be innocent of time, then, is the essence of Gardner's pastoral, and when encountering the inhabitants of the solitary towns and country cabins in the shadow of Nickel Mountain one feels as though one had

> slipped back into the comfortable world pictured in old engravings—in old geography books, say, or old books of maps in a law office.

Like "Callie's mother's Uncle Al who'd done oil paintings of imaginary country scenes," Gardner pays tribute to those fantasies of the American sentimental imagination found in, say, Grant Wood or Andrew Wyeth (with a touch of Grandma Moses and Norman Rockwell lurking in the background—sentiment is Gardner's good, sentimentality his evil). One stunning example of this style may be found in the passage relating the progress of Callie's wedding party from home to church. Driving along, they look out of the car window upon

> brilliant yellow wheat stubble on hills pitched or slanting away into tree-filled glens where spring water ran and brightly dappled guernsey cows could go to drink or lie down in the heavy shade. They came to maples and beeches of the slope, the nearer mountains bright with twenty shades of green (in a month it would all be gold and red), the higher mountains in the distance clean blue . . . the sky was bright blue, the bluest sky in the world, with just one white cloud, so precisely outlined it looked like a picture in a child's book of fairy tales.

No page of *Nickel Mountain* lacks the imprint of this fulsome prose in which highly colored natural description takes precedence over questions of human psychology and narrative action. The effect is, moreover, closer to lyric than epic, scene after painted scene linked in the reader's mind by virtue of the feelings engendered by Gardner's moving descriptions rather than any logical connections between one notation about a character and the next. Despite carefully planted assurances that by the end of the novel Soames has "discovered . . . the idea of magical change," no transformations of character or action have occurred. Thus, while the setting of *Nickel Mountain* resembles that of Gardner's *The Sunlight Dialogues* (see my review *The Nation*, May 21, 1973), no scene could be further removed from the fields where order struggled with chaos and time with decay. Here thought vaporizes and metaphysics shrivels into the plodding sententiousness of Henry Soames pulling off his socks at the end of a day and "wondering what it all meant."

Each of Gardner's previous novels does in fact present itself, as well as any novel can, as a dramatization of "what it all means," and each concludes with the death of the main character as if to suggest that death—and the endings of novels—stand as the final response to all conjecture about meaning. In the last chapter of *Nickel Mountain*, Gardner leads Henry Soames to the edge of a grave. But he cannot make him die. Although Soames has a "heart condition" and feels "as old as the mountains," the range to which he compares himself is the fairy-tale chain in a region where death has no dominion. In his world without end, only the prose lives, flares up, flickers, fumes, and finally gutters out. Gardner has presented us with the final version of pastoral.

Country landscape figures more effectively in another recent work of fiction about working people in modern America, both within the confines of a frame and as the natural element in which the main characters move about. John Yount, author of *The Trapper's Last Shot*, allows us to get a bead on Beau Jim and Dan Early, the brothers whose intertwined fates his compelling second novel recounts, by presenting them in relation to an old black and brown wall print, long destroyed in a fire by the time the novel opens but still vivid in their minds. It hung on the wall of their childhood home in Wautauga County, North Carolina, and Beau Jim recalls the print as one which

> showed a mountain man in buckskins astride a horse that was wading across a deep slow stream. . . . There was strength in his bearded face, or there would have been if it weren't for a telltale shine in the trapper's eye. . . . It was fear that had dashed that moisture across the man's eye. . . . Behind him on the bank the half dozen Indians, lean and light and all but naked on their bareback ponies, had already raised their bows and lances over their heads in anticipation of the kill.

Fresh from military service and eager to make his way in civilian life, Beau Jim sees himself at times as the embattled trapper, but he possesses enough self-awareness quickly to turn such romantic notions into their humorous reality. For his older brother Dan Early, the painting comes to portend a pathetic fate. Unlike Beau Jim who returns to the little farm outside Sharaw, Ga., to enroll in the community college, renew friendships, court the ticket taker of the

LETTER

The window frames the harbor.

Resting my eyes, I watch the sails edge the horizon
too often to always see what is missing,
or lean and drift with the constellations.

Come soon. Come soon.

My hands, once so generous with love's gestures
are crazy spiders, raveling, unraveling

their laughter, their bodies
press me

what am I?
the haven you sail toward?
the hard queen?

Douglas Worth

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local drive-in theatre, and make a new life, Dan seems truly at bay. His farm does not pay, and he works a second job as a filling-station attendant and regards the television aerial of the black family across the highway as a sign of his own economic ruin. As Beau Jim strikes out tentatively for new relationships and new spaces in his life, Dan's world closes in on him in the form of the integration of his young daughter's school, his wife's growing dissatisfaction with their lack of money, and the deadening realization of the end of his youth. Thus, to the sober but not somber story of the education of the returning hero, Yount adds the narrative of Dan Early's last stand and broadens considerably the novel's scope.

In this double story, the landscape plays an important role, suggesting in its very naturalness and variability the forces of change which seem to characterize the family life, working days, love affairs and play of the characters who move across it. During the summer of 1960, we hear, "No rain fell from the second week in June through the entire month of July," and the

> loblolly pines turned yellow in the drought. The grass scorched and withered in the fields, and bare patches of red clay earth began to appear and to crack and cake in the sun like the bottoms of dried up lakes. The first day of August some clouds drifted in from the mountains in Tennessee and the Carolinas, and the air grew still and heavy, and for a while a thin rain fell as warm as sweat. But before the rain had stopped, the sun came out again, and the steam began to rise from the fields and woods, from the dirt roads and concrete slab highways, and the countryside cooked like so many vegetables in a pot.

Yount's language—"The grass scorched . . ." "The first day of August some clouds. . . ."—and images—rain "as warm as sweat," the countryside cooking "like so many vegetables in a pot"—give us an earth which is an aspect of the particular vision of the characters who people it. The diction, rather than appearing as ostentatious art speech stooping to describe these "pure products" of America, offers the impression of natural idiom raised to the level of art.

The Trapper's Last Shot is not, then, simply another successful naturalistic novel about the South. Although Yount pays attention to naturalistic detail—his characters drink real coffee out of real coffee cups—and he has an ear for Southern speech, he is as much governed by an ideal as Gardner. However, his version of purity includes the presence of time. We discover this immediately upon reading the opening scene in which he relates the story of five young Georgia boys who try to cool off on a hot summer day in 1960 by diving into Cocke County's Harpeth River. Instead of soothing pastoral waters, they find the stream alive with serpents, and the oldest boy succumbs to their attacks. Or so the near-mad, Bible-tinged, embattled imaginations of the farmer-peasants of the modern South might have expressed the symbol of their own just barely recognizable terrors and fears had John Yount not expressed it for them. □

The View from the Glass House

ITALIA, ITALIA: Modern Italy and the Contemporary Italians. *By Peter Nichols. Atlantic-Little, Brown. 346 pp. $8.95.*

SERGE HUGHES

"A good many outsiders," the visitor pointed out, "do not understand you. I know you and I'm fond of you. I'd like to try to explain you. I've been around. I think I can make the proper comparisons between you and others, this landscape and those abroad. I can give witness to the good in you and offer a plausible account for the bad. My tchtching over what is wrong, my version of 'Italia, Italia,' not as rotund as that of your rhetor-poet, will be at the very least less self-righteous. And, unlike some of my compatriots, I will not once imply that all of this would never have happened had there been a British Labor Party in the land."

Is there a full- or part-time Italian who will turn a deaf ear to these soft words? There are few things more fascinating, for an individual or a people, than to have others, preferably those fond of us, tell us who we really are. Is the portrait a true likeness? Yes and no. Is Cecchi's old *America Amara* a true likeness of us Americans as viewed through cold Florentine eyes? Yes and no. What matters, perhaps, is not the extent to which the number of motley psychological generalizations hold up. The point is whether, in this portrait, the eye has extricated one or two principal features from all that is unessential, passing, tangential; and judged by this measure, Peter Nichols offers a very persuasive silhouette.

That is not to say that Mr. Nichols is without his own astigmatism (Frederick II as a thwarted benefactor of Italy and Europe) or that he does not occasionally succumb to uncharming simplifications (the history of Church and state as the story of the good guys against the bad); but he has seen something. He has recognized the political dimensions of a problem without falling into the mistake of considering the problem as exclusively political—or concluding that a political solution would be final and definitive.

The dilemma, painfully old, has never been felt with such anguish as by the Italians of the present day. It has become more complicated than ever. The problem of the South, the matter of regional autonomy, the flight back to the South from Milan and Turin, the question of schools, of judiciary reform, of the future of the cities—all these are but

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facets of the one relentless question: what is the future of a culture that in its finest achievements does not seem to offer substantial help in solving current problems? The past is everywhere in Italy, trivialized, touristized, relegated to a backdrop. The average Italian, nonetheless, oppressed as he may be by the sense of that past, is aware that what meets his eye, strikes his ear and his conscience, offers little consolation and smaller hope. The inanities of Umbertino architecture have given way to those of international Milanese. The shortcomings of liberal Italy have been followed by the Jersey City politics of the Christian Democrats. And the Italian, though convinced that the whole world has turned into one glass house, takes no comfort in his own. The past, somehow, with all its wrongs and limitations, seemed to promise more. □

FILMS

ROBERT HATCH

Peter Bogdanovich, who has made himself a fine reputation by feeding back to us our nostalgias in slightly skewed perspective (*The Last Picture Show, Paper Moon*), does something similar, though it is not nostalgic, with Henry James's *Daisy Miller*. In terms of scenes and large segments of dialogue his film holds faithfully to the novella, and yet the effect is appreciably different from what James presumably intended.

Primarily, of course, this difference emerges in what one feels about Daisy herself (here played by Cybill Shepherd). She is one of James's several admirable American women (of them all, she is probably the most delectable) who come to grief in the alien atmosphere of European society. She is beautiful and competent, honest, open and avid for experience. Needless to say she is virtuous, but she is also innocent to a degree that is literally fatal in the convention-disciplined intercourse of the old, cynical Continent.

But almost inevitably, I think, to a modern reader Daisy seems more than just a splendid, slightly vulgar, American girl. She seems keyed up, deliberately provocative, almost desperate and the clue to her malaise may well be her mother. Mrs. Miller (Cloris Leachman in the film) is a mousy idiot whose every remark compromises Daisy's reputation and whose scatterbrained satisfaction in her daughter's imprudence might drive any self-respecting girl to angry excesses —in the hope, presumably, of extracting a remonstrance from her hypochondriac parent. I can't prove that James had this antagonism in mind, but it is noteworthy that, on her mother's first appearance in the story, Daisy promotes the quite outrageous (for those times) exploit of going off rowing in the night with Winterbourne (Barry Brown), and then, when even that fails to penetrate the older woman's preoccupation with her own inadequacy, cancels the tryst with rude abruptness. It seems unlikely to me that Daisy's freedom from restraints was typical of American young ladies of her day, even when they were the daughters of the *nouveau riche*, and I hear in her "artless" chatter an undertone of poignant irony.

In any case, whether James meant what I say or perhaps said more than he meant, I believe that Bogdanovich has caught the same undertones. It would explain why he has Miss Shepherd deliver Daisy's monologues in uninflected and unpunctuated outpourings that terminate suddenly in what feel like challenges. Similarly, though the words are the same, Daisy's reaction to those who offer her advice is more belligerent on the screen than one might guess from the text, though here Miss Shepherd herself may be a factor—she is an exceedingly strong actress whose person is better described as handsome than as lovely. A disadvantage is that, while an emotionally distraught Daisy "works" for us psychologically, she seems less the girl who would appeal so strongly to the finicky Winterbourne.

James is ambivalent in his presentation of encounters between the New World and the Old. He came from the one, had thrown in his lot with the other, and described the recurring tragedy without assigning blame, or indeed suggesting that there was any blame to assign. Bogdanovich is less neutral; he has darkened the European side considerably. Thus, whereas Daisy calls Winterbourne a stick, Barry Brown makes him one in fact. And though in the story, Winterbourne's aunt is coldly proud, Mildred Natwick has created a monster of such expatriate snobbery that her very speech degenerates into a self-satisfied gurgle. Finally, Mrs. Walker, she of the American salon in Rome, seems in the text genuinely concerned lest Daisy be hurt by her follies. As Eileen Brennan plays the part, she is the very tough defender of a social respectability that she sees threatened by a snip of a girl. In the ambience created by the picture only Daisy and Giovanelli, her "little Italian" (Duilio Del Prete), really win my allegiance. In their own ways, each is crude, each is foolish, each is embarrassing; but neither is flying false colors or protecting a hard-won position with barricades of protocol—of course, neither has a position to protect. Del Prete also has the personal advantage of being able to project charm so liberally that you suspect he carries around with him a tank of the stuff.

By taking sides thus firmly, Bogdanovich coarsens *Daisy Miller*. James was by no means blind to the shortcomings of his European society. He knew it to be cruel and insecure, but he also saw that it was the one because it was the other. If his compassion for Daisy is a kind of love, his compassion for the expatriates is a kind of understanding. Everyone loses in *Daisy Miller*, and the only solace lies in Winterbourne's belated realization that he judged her aright when he was so strongly drawn to her. In the film that does not emerge; it is too gentle a catharsis when sides have been so clearly taken. However, though I doubt that the film does any service for James, it is on its own terms honest and beautiful work, an adaptation of a classic splendidly suited to a new time. □

THEATRE

HAROLD CLURMAN

The most gratifying aspect of the Yale Repertory Theatre production of Aristophanes' *The Frogs*, as adapted and directed by Burt Shevelove with music and lyrics by Stephen Sondheim, was *physical*. During its first thirty minutes I was ready to cry out like a "regular" reviewer: "Sheer delight . . . smashing . . . a hit, etc., etc."

Here, I was going to say, is the latest thing: multi-media theatre (which is, of course, at least 2,000 years old); dialogue in prose and verse, music, choral speech and song added to natation in the large pool of the Payne-Whitney Gymnasium at Yale. The entry of twenty-four splendid swimmers—the "frogs" —was truly joyous. Gliding through the waters of the Styx, their bodies described lovely patterns as they accompanied—gaily mocking—frightened Dionysus on his expedition to the blessed and damned in Hades. Sixteen hundred spectators roared their pleasure at this hilarious festivity.

What followed was, on the whole, something of a letdown. Aristophanes' comedy is an aesthetic and political jape of propagandistic intent. (Athens was engaged in a fatal war at the time of its writing.) The Shevelove adaptation

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eschews politics entirely and is weak in its literary phase. In the original, the main situation centers on a debate between Aeschylus and Euripides, which was doubly meaningful to the audience of 405 B.C. because the two dramatists represented not only differences of style but differences of moral and social attitudes. At Yale, the confrontation was one between Shakespeare and Shaw, and all they did was exchange contrary (sometimes insulting) quotations from their writings that were not particularly relevant at the moment to any essential issue.

Still, there were a few naively amusing quips about modern playwrights who had passed into Pluto's kingdom. Of Ibsen it was said, "You either love him or you hate him," of Pirandello, that he is "a sweet man but very mixed up," and of O'Neill that he is really funny, but "he never used to be." Corneille and Racine were not present at the banquet prepared for the occasion because "they went home early," etc. Some of this section of the performance suffered not so much from faults in the actors' delivery as from the gymnasium's unreliable acoustics, so that only a few of the lines were wholly audible. The choral passages were most deficient in this respect, since clarity in collective singing requires extended practice and is in a verbal sense rarely successful under any circumstances.

Larry Blyden's relaxed manner, good nature and coy brightness made him a most engaging Dionysus. He was always intelligible, as were Michael Vale as his slave; Alvin Epstein, grotesquely funny as the guard at Hades' portals; handsome Dan Desmond as Herakles, and Ron Recasner, who spoke the introduction to the *parabasis* with winning elegance. An added asset was Carmen de Lavallade's ravishing physique.

Balancing the pros and cons, which include several college-oriented jokes, a few Broadway-tinged ribaldries (by no means as pointed as those in Aristophanes) and, to repeat, the marvelous corps of swimmers, this production, perhaps the most ambitious the Yale Repertory Theatre has undertaken, turned out to be an event which the company may properly regard as earning congratulation.

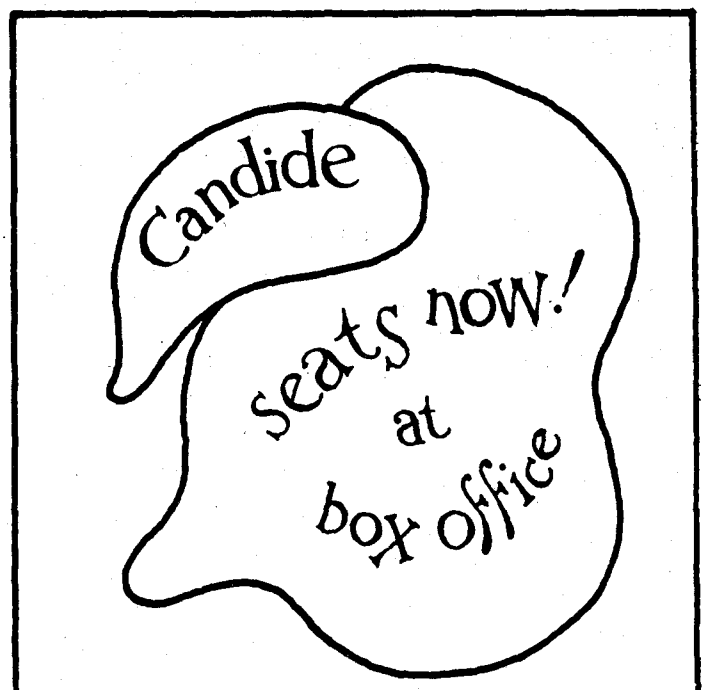
But I cannot forgo some further reference to the masterpiece from which it derives and the structure of which it follows. It not only strikes a timeless funny bone but retains in its *agon* a striking immediacy. For example, Euripides in Richmond Lattimore's lively translation says: "I made the drama *democratic* . . . I staged the life of every day, the way we live . . . I turn everything inside out looking for new solutions to the problems of today, always critical, giving suggestions for gracious living and they [audiences] come away from seeing a play in a questioning mood with 'where are we at?' and 'who's got my this?' and 'who took my that?' " To which Aeschylus boasts in reply that he gave the people "a lot of heroic six-footers, a grand generation of heroes unlike our new crop of street-corner loafers, and gangsters and decadent queer-os." Of his *Seven Against Thebes*, Aeschylus claims, "Any man in the audience sitting through that would aspire to heroic endeavor."

When Euripides challenges Aeschylus with "You ought to make people talk like people," his opponent retorts in a compound of classic loftiness and disdain. "For magnificent thought and magnificent fancies, one must have magnificent words . . . I set them a standard of purity. . . . You've taught the young men to be disputatious. Each argues as long as he wishes. . . . They all sit around on their fannies and listen to adolescent debates. . . ." He complains to the assembled dignitaries, "That's what he's begun. What hasn't he done? His nurses go propositioning others. His heroines have their babies in church or sleep with their brothers or go around murmuring 'Is life *life*?' So our city is rife with the clerk and the jerk, the altar-baboon, the political ape. . . ."

Thus the perennial debate between the classicists and the moderns goes on, with Aristophanes deriding both. On balance, he sides with the heroic and conservative Aeschylus, as at Yale, Shakespeare triumphs over Shaw in unequal battle. I favor reading Aristophanes, the laughing "reactionary."

Speaking of adaptations, I neglected some weeks ago to notice *Scapino*, the show made by the Young Vic company (part of the National Theatre of Great Britain) from Molière's *Les Fourberies de Scapin*. ("Scapin's Dirty Tricks"). I saw it first at the Brooklyn Academy of Music and have seen it again where it is now playing: the Circle in the Square Theatre.

My earlier neglect, I confess, resulted from my not sharing *all* the enthusiasm that the audiences and the press manifested and which the production undoubtedly deserves. What is most embarrassing about this peculiar discrepancy



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between my reaction and the general one is that I cannot quite explain it even to myself. I was unable to enjoy the evening as much as everyone else did, simply because (I *guess*) many of the gags struck me as beside the point of the play rather than issuing directly out of it. They were in themselves effective and, for the most part, brilliantly carried off, but they seemed tricks loaded on—including the ploy of anachronisms, the use of local situations, places, phrases, dialects—rather than organic extensions of the play's basic joke about parental greed and stupidity and the whacking they merit.

The Young Vic company—headed by Jim Dale who plays Scapino, an actor of enormous verve and energy, together with an attractive British geniality (*sans schmaltz*)—is well trained in every way, high-spirited and with a wonderful aptitude for connection with its audience. The company's director, Frank Dunlop, is zestfully resourceful and astute, the ideal leader for this undertaking. His production idea is just fun, fun, fun, and the original play, scrupulously adhered to in its shape and in much of the colloquially translated dialogue, is a forever charming lark. Like the Wheeler-Bernstein-Prince *Candide*, this *Scapino* is especially suited to kids and to adults in an innocent and childlike frame of mind. Hosanna!

Apart from such refreshments in and not far from New York, there are innumerable happenings in cellars, lofts, halls, cabarets and roof "gardens" to which I am incessantly invited and which lack of time prevents me from attending.

The Manhattan Theatre Club (which includes a bar) at 321 East 73 Street is one such place which I did visit. Besides a revival of O'Neill's *A Touch of the Poet*, in association with Ed Bullins and Richard Wesley, the Club has been presenting a new play by Richard Wesley (whose *The Black Terror* I reviewed here some seasons ago) called *The Sirens*. These "sirens" are the whores who infest the streets of what the author names "Good Ol' Newark, New Jersey." The vicinity, supposedly more abject than anything close to home, has many of the characteristics, in this regard, of my midtown Manhattan neighborhood, except that the "sirens" in Newark are apparently more "independent": they operate without pimps.

Wesley depicts these unfortunate women with authentic, uncondescending familiarity and understanding—and, incidentally, without undue sentimentality. He knows what they are and why they are, what they were and what most of them become. He knows their scorn, their despair and their pain. And these tell us much about our civilization in general, especially as it bears down on the more oppressed sex. There is some technical awkwardness in the telling, but the core of the matter is sound and the acting by Veronica Redd, Roscoe Orman, Loretta Greene, Deborah Morgan and Roger Hill is all good. □

ART

LAWRENCE ALLOWAY

Nobody predicted a few years ago the present efflorescence of Realism. There were calls for a "return to the figure," but these were based on an Expressionistic iconography of emotional and symbolic figures rather than on the practice of looking and depicting the results of looking. Now there are not only numerous individual Realists concerned with problems of perception but at least one movement, that of Photo-Realism. Two painters, representing opposed positions within Realism, have just shown their work—Gabriel Laderman at the Robert Schoelkopf Gallery and Richard Estes at Allan Stone.

Laderman's exhibition was a small retrospective consisting mainly of oil paintings done since 1962. He is best known for his landscapes and there seems to be no reason to revise this estimate. His later figure paintings have an unpleasant purplish flush and details of the human form are awkwardly generalized. His still-life paintings somewhat resemble a rigidified Morandi, with the tentative clusters of objects straightened out into rows. However there are several in which Laderman looks, not so much at the objects on the table top, as at the whole piece of furniture with the result that most of the visual incident is collected in the upper zone of the picture, an interesting departure from the standard viewpoints of still-life painting.

His landscapes are panoramic and, at their best, architectural, as wide-angled as the late cityscapes of Camille Pissarro, but ordered for other purposes. Laderman's skylines, with a sequence of skylights, ventilators, chimneys, gables, church towers, cornices and lanterns, resemble a still life but with one great difference—most of the forms that one can see are incomplete: the upper storeys of houses are shown but rarely their foundations; there are treetops but no roots, the ground being concealed by the overlapping buildings. Thus there is a sense of fissures between the solids that we can see, the space of invisible streets and yards, crisscrossing the stable panorama. It is this sense of concealed spaces that is remarkable in his cityscapes whether of Florence or Brooklyn, Baton Rouge or North Adams.

Laderman's way of painting is curious, in that his touch is small and one tends to associate small brushwork in Realist painting with veristic detail. However, Laderman's blunt spots and flecks are not in the least geared to exact description: his view of nature, behind the topographical imagery, is generalizing; hence the compound in his paintings of large-scale fidelity to appearances and small-scale vagueness of detail. Laderman continues the 18th-century *general* view of nature, not the 19th-century view of particularities. His foliage is more like the fluent self-generating calligraphy of John Robert Cozens, for example, than it is like the point-by-point precision of later landscape painters. If this has not been sufficiently noticed it is because we still tend to confront the styles of Realism and Abstract art, rather than compare one form of Realism to another. However, the definition of Realism is improving, concurrently with the increasing variety of Realist art that is now being not only produced but exhibited.

There is a total absence of figures in Laderman's landscapes though the structures of man are presented in homely detail. This gives to his undramatic views of commonplace scenes a certain moodiness, touched by melancholy. Richard Estes also avoids the human figure in his urban scenes, but for another purpose. With Laderman one has a feeling of withdrawal, above the streets, on a peaceful day, the crowd falling away, out of sight. There is a benign suppression of people, such as Horace could enjoy in his villa away from Rome. With Estes, however, the spectator is plunged into the heart of the commercial city, but it must be Sunday morning: it is the point-of-sale with no buyers. Architects like to have their buildings photographed before the clients move in and spoil the immaculate space. Estes does the same for Thom McAn and Woolworth's, for diners and drive-ins. Basing himself on photographs (35 mm. color slides which he takes himself) he produces images of a glittering, desolate city.

Estes, like Charles Close, Audrey Flack and Malcolm Morley, is not a part of Photo-Realism as a movement, which is centered on the O.K. Harris Gallery. However, some of his opinions echo those of other Photo-Realists. Like them, he acknowledges the influence of

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Pop art ("I always liked Pop art"). Like them, he is reluctant to admit affect in his paintings ("I don't enjoy looking at the things I paint"). On the other hand, his paintings are different from the Photo-Realism of Ralph Goings or (later) Robert Bechtle, which are sunny but rather weightless. Estes' paintings have a solidly put-together look, a meshing of the internal parts that comes from care in composition, whereas much Photo-Realism does not divulge this kind of structure, since brushwork and irregularities of pigment are obliterated by the overall likeness of the paintings to photographs. Estes' work appeals to virtue as well as to our love of illusionistic marvels. There is evident labor in the diligent dovetailing of the parts, as compared to the all-at-once look which follows from the simulation of photographs. With most Photo-Realists we marvel at their results, because they deny us any sense of the work process. Estes' surfaces are closed, too, but the images they represent do not suggest a photograph's instantaneity. Though Estes works from photographs, no matter how thoroughly the illusion of a city street or storefront is established, the ultimate effect is of judgment, as to where the image has been cropped and which details have been emphasized. These are judgments of a kind that Goings and Bechtle conceal in their overall matching of painting to photograph.

In Estes' new works the level of illusionism is as high as ever, but his manner of painting is more systematic. He has moved closer to Canaletto, whose paintings of 18th-century Venice employed firm, repeatable brush strokes, small dots, dashes and hooks, like shorthand, within a plausible perspective framework. Canaletto, in fact, is the painter whom Estes most resembles in his scrupulous inventories of urban topography. His accuracy about the streets of the city used not to include dirt and garbage, which gave his New York something of the appearance of a film set. In the new paintings he has remedied this scruple to some extent. But in fact his strict hygiene (cleaning up the city), his sense of composition (clarifying the arrested scene), and his exclusion of mobile and unpredictable elements (people) seem all of a piece. He wishes to establish each painting as a well-regulated mechanism, and by means of art to extend a comparable coherence to the world at large. The cleanliness of the streets therefore is no less an expressive device than the mazes of reflections which multiply and disembody the familiar buildings. □

THE BICYCLE

Here he comes, my secret pal,
pedalling down the block, legs
working like a caged squirrel

on a tread-mill. All day he
bikes back and forth, face empty,
regular as my T.V.,

the neighborhood moron.
Enthroned on his high seat
he looks neither left nor right,

not even at the kids playing.
He could be one of their toys,
a mechanical monster

that can't see what it runs over,
stopping at a curb, or a dead end.
Outside, I turn my eyes away

from his billed, filthy cap,
his features swollen as a baby's.
But hidden behind my curtains,

killing time between dishes
and the next soap-opera, I
can't help staring. It's scary

to see that heavy body pump
doggedly on and on,
the same route, spring, fall.

It's as if I'm on the bike with him,
our chained legs in rhythm, grinding
that terrible, spoked wheel.

Beth Bentley

DANCE

NANCY GOLDNER

The Royal Ballet's visit at the Metropolitan Opera lasted only three weeks, and a good part of the time was given over to Kenneth MacMillan's new *Manon*, one of those besotted full-length extravaganzas that the Royal Ballet apparently feels it must produce to justify its royal charter and that management feels Americans expect from a foreign company. But we were also able to see a contemporary masterpiece, Frederick Ashton's *La Fille mal gardée*. This two-act pastoral comedy has gained the reputation of being a box-office loser here, perhaps because its length (neither short enough to be a "jewel" nor long enough to be "major") and its unimportant theme disqualify it from being the "grand ballet" that Americans associate with Royal Ballet fare. I do not know for a fact that *La Fille* is a financial liability, but if it is I would imagine that its biggest barrier to audience success constitutes its greatest achievement. In *La Fille* Ashton has the courage to pursue an utterly unprofound story and then to web it with so much humor, simple truth and theatrical invention that it becomes a statement about the profundity of anti-profundity.

La Fille is a genre painting of farm life. Even though the story focuses on the love between Lise and Colas and the attempt by Lise's mother, Widow Simone, to thwart the romance so that she can marry her daughter off to a rich imbecile, the heart of the ballet's concern is milieu. The charm, and also spine, of it is that Ashton does not conceive of milieu as hazy background noise supplied by an ensemble, but in specifics. Thus the ballet begins with a dance for four hens and a rooster at dawn. Naturally the dance is adorable. It is also poignant because so truthful to its context: in a barnyard world, chickens are the most important "persons." Later on, when the farmers go to reap the fields, it's the chickens who lead the parade (a real parade ending with a woman-made float) and the chickens to whom everyone bows when they get to the fields. The first thing we find out about Lise and Colas is that they both like butter; that is, they like the same aspects of the world they inhabit and so are natural-born lovers. Lise likes it so much that her first dance is a hymn to butter. We know that the farm is in France because, when Widow Simone frantically throws at Colas everything she can get her hands on to discourage him from hanging around Lise, she remembers to take the flowers out of the flower pot before hurling them over the balcony. Flower pots cost money.

The ballet is also filled with the sounds and rhythms of farm life. The scene where Lise and her mother spin yarn is a dance equivalent of the cozy, purring rhythm of the machine that will clothe them. Of course Lise almost strangles her mother with the yarn, but that is another part of the story, dealing with mother-daughter stuff and the theme of cheerful incompetence, from which *La Fille* draws much of its comic material. Churning butter is another

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rhythm. Lise is a typical teen-ager, lazy and moonily in love. She churns lackadaisically except when she wants to tease Colas with fake indifference, at which point she churns with some zip.

Much of the comedy is pure vaudeville; though *La Fille mal gardée*'s plot and locale is French, its spirit in many ways is English music hall. The most brilliant and lovable example is Widow Simone's soft-shoe routine (only the dance is done in sabots), complete with a four-woman chorus to fill in the gaps in taps. Except for the hero, who is conventionally heroic, if slightly doltish, the male characters have that music-hall ambiguity of sex, which is further complicated by the fact that Widow Simone is played by a man (the superb Stanley Holden). The humor is low, and the dumber it gets the more wonderful it becomes. There are double takes, glassy-eyed stares à la Jack Benny, and those silly modifications and explanations of gesture in mid-act when someone is caught in a foolish position.

The pinnacle of low humor is Alain, the nitwit in line for Lise's hand. We laugh at him for being a physical mess (his several solos reveal the kind of nervous disorder in which the shoulder jerks when the kneecap is thumped) and a mental case. He's a crybaby and has some sex problems. He lunges at girls with the grotesqueness of a man whose virginity has become a problem. In the original *La Fille*, Alain is a butterfly catcher. Ashton turns him into an Englishman by giving him an umbrella, with which Alain continually plays horsey. Ashton is not afraid to have us laugh at freakishness or even what at times is repulsive behavior, but *La Fille* is above all wrought with love and gentleness. Ashton creates a world where events end happily, where mothers change their motherly ways, lovers are united, and imbeciles are saved by their imbecility. At the very last moment of the ballet, after farm hands celebrate the mother's change of heart and the lovers' betrothal by hoisting them one by one above the crowd so that we in the audience can cheer them, Alain sneaks back into the house to claim his beloved umbrella. He dances off with it, happy. Curtain.

There are many other things to admire in *La Fille mal gardée*. For the most part it is one long stream of dance (rather ribbon of dance, since ribbons become a motif of Lise and Colas' bond). The ensemble dances are not masterpieces and could be shorter, but they are varied and full of verve. The love duets are characteristically Ashtonian in tenderness, intimacy and sweet flow, yet Ashton still manages to insert virtuoso variations without upsetting the pastoral tone with Russian-style glitter. John Lanchbery's arrangement of the Ferdinand Herold score is a model of usefulness, and Ashton makes some of the melodies more lilting than they might sound in concert. The work plays into every strength of the Royal Ballet, for it is a true ensemble piece, calls for great character dancing, which no other company can supply, and asks from the lead couple modesty and adeptness at characterization, which are two of the loveliest qualities of the Royal Ballet's stars. The ballet caught even the blue-blooded Rudolf Nureyev and Anthony Dowell in its spell of bucolic enchantment. The sight of these two *premiers danseurs* happily shooing roosters made one believe in the possibility of English democracy.

Yet I like *La Fille* best because of its answer to the question: What is more profound, smiles or frowns, fulfilled or unrequited love? The either/or construct is unfair of course, but in *La Fille* Ashton gives tragedy a definitive run for the money and certainly extends one's notions of what profundity means. George Balanchine's *Apollo* asks the same question and answers it the same way. This is *Apollo*'s only similarity to *La Fille*, but it is an important one and may account for Balanchine's and Ashton's singular successes with ballet choreography.

The Royal Ballet performed *Apollo* twice this season, and never has any dance been so mangled by anybody. Everything went wrong—the Stravinsky score went six minutes over its prescribed length of thirty; the dancers do not know how to link Balanchine's steps; they do not know how to communicate abstract expression (a limitation that marred, to a lesser extent, Ashton's own *Symphonic Variations* as well); the weakest soloist was given the Terpsichore role, etc., etc. But the worst offense was that Nureyev and his three muses danced *Apollo* as though it were a tragedy. They saw dignity as ponderous movement and dead-serious demeanor, whereas Balanchine finds dignity in a dancer's sense of play and enjoyment of his and his partner's bodies. Apollo is happy because he is a god; Lise and Colas are happy because they are farmers. In their contentment with what is, in their utter peace with reality, the characters who live on Olympus and in the barnyard are related. Had the dancers spun through *Apollo* as they do in *La Fille*, they would have come much nearer the truth. Since *Apollo* is one of the all-time beauties, it is too bad for Anglo-American cultural relations that the beautiful Royal Ballet missed the connection between their dance by Ashton and ours by Balanchine. ☐

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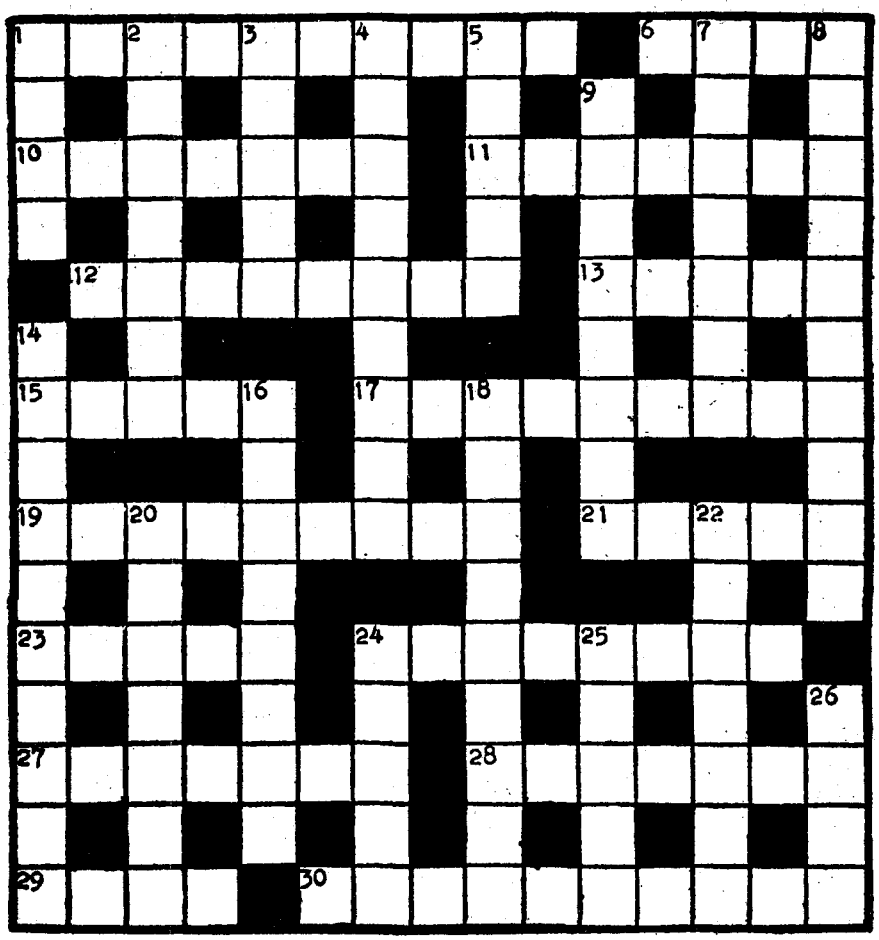
Crossword Puzzle No. 1542

FRANK W. LEWIS



ACROSS

1 One doesn't live in the country, but right in 18 down. (10)
10 There's no tar mixture in 1 across to make reparations. (7)
11 The purpose in payment for use in clothing? (7)
12 They evidently don't easily pass on a reddish blend. (3-5)
13 The father of the Centaurs is nine-to-one on! (5)
15 They're said to be comparatively plain, when one of the faces is yours. (5)
17 Plan these, perhaps, and they may not be naturally the white or pink variety.
19 Celeste, possibly, is not necessarily responsible for heart failure. (5,4)
21 Would one show puppy love? It's a matter of opinion! (5)
23 Evidently someone didn't know where it used its stinger. (5)
24 Instructions to stop, or continue, if you're the operator? (3,2,3)
27 It comes from the islands of Langerhans. (7)
28 One must love what he does. (7)
29 Language which to a relatively small number could be poetic. (4)
30 Henry Clay labeled it a trust. (10)

DOWN

1 and 25 Looks at what someone in the bridal party might have to bear, perhaps accompanied with a headache. (9)
2 Soft drink and desserts might combine as a possible source of a drug problem. (7)
3 The contents of Iago's purse, evidently.
4 Where Wilde looked for a VIP, frankly. (2,7)
5 and 6 across Uncovers something in mah-jongg which might prove to be an entrancing revolver. (9)
7 One from Lisbon or Madrid, possibly.
8 It might prove no worse than crow, if one does. (3,4,3)
9 Angled around in whatever might be done. (8)
14 A rather indefinite date set for an unspecified type of religion some people ask for. (3,3,4)
16 Putting something ideally, one would do the first part to the ball in the last part, but it might be dirty. (8)
18 Enlarge, perhaps. (9)
20 They might hold water, but one can see through them. (7)
22 Swiss cheese? (7)
24 Take advantage of travel in Africa? (5)
25 See 1 down.
26 Crib, more logically associated with a pony. (4)

SOLUTION TO PUZZLE NO. 1541

ACROSS: 1 Absolute power; 10 Afoot; 11 Badminton; 12 Dance band; 13 Morse; 14 Landing craft; 19 and 8 Yankee Doodle Dandy; 22 Notes; 24 Unhandily; 25 Bull fight; 26 Upset; 27 As hard as nails. DOWN: 2 Browns; 3 On the wane; 4 Upbraided; 5 Ended; 6 Opium; 7 External; 9 Invents; 15 Neophytes; 16 Calendula; 17 By-and-by; 18 Installs; 20 Diesel; 21 Cysts; 23 Sofia; 24 Urged.

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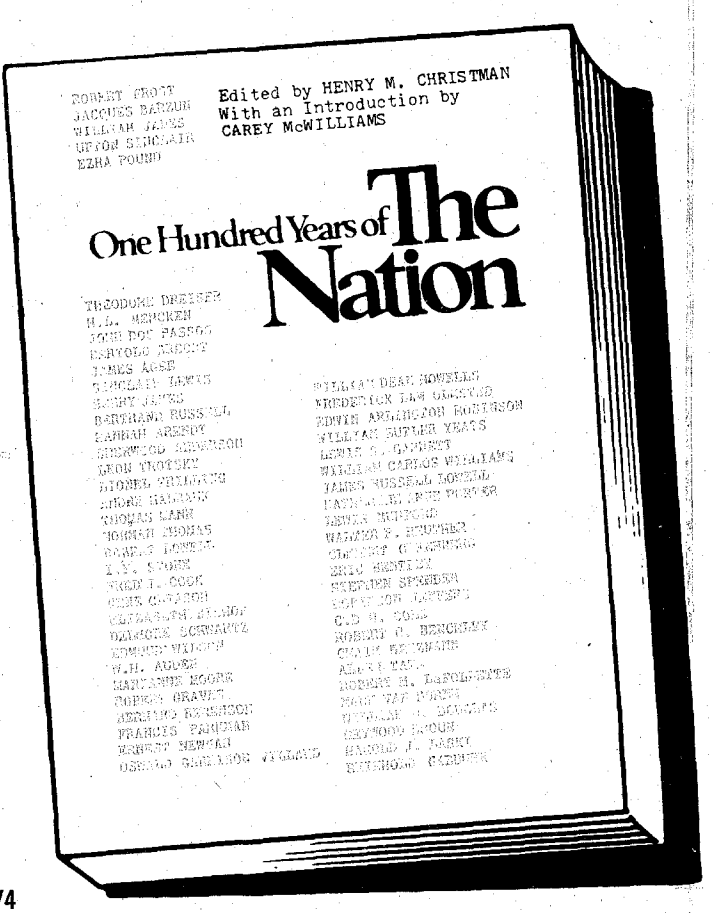

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